THE COUNTY SERVICES COMMITTEE WILL MEET ON TUESDAY, SEPTEMBER 18, 2012 AT 6:00 P.M., IN THE PERSONNEL CONFERENCE ROOM (D & E), HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

Agenda

Call to Order
Approval of the August 21, 2012 Minutes
Additions to the Agenda
Limited Public Comment

1. Sheriff’s Office
   a. Request to Waive the Hiring Freeze for an Open Corrections Sergeant Position
   b. Request to Waive the Hiring Freeze for an Open Corrections Deputy Position
   c. Request to Transition the Jail Lobby Control from Two Full-Time Deputies to Permanent Part-Time Deputies

2. Circuit Court - Request to Waive the Hiring Freeze/Hiring Delay for Court Officer/Legal Research Clerk

3. Facilities
   a. Discussion Item (Closed Session): Project Labor Agreement Regarding the Ingham County Family Center
   b. Emergency Purchase Order - 2 Kettles for Jail Kitchen (Additional Information to be Distributed at Meeting)

4. Potter Park Zoo
   a. Resolution Appointing Sherrie Graham as the Potter Park Zoo Director and Authorizing an Amendment to the Existing Contract with the Potter Park Zoo Society
   b. Resolution Authorizing an Amendment to the Agreement with the City of Lansing for the Lease and Operations of the Potter Park Zoo (Discussion Item Only)

5. Human Resources
   a. Resolution Authorizing the Human Resources Department to Contract with the Tri-County Office on Aging to Provide Human Resources Services
   b. Resolution Authorizing the Establishment of MERS Hybrid Plans for the Board of Commissioners and Elected Officials (Referred)
c. Resolution Approving Modifications to the 2012 Managerial and Confidential Personnel Manual *(Referred)*

d. Resolution Authorizing the Establishment of MERS Hybrid Plans for Managerial and Confidential Employees

6. **Department of Transportation and Roads** - Resolution to Approve the Special and Routine Permits for the Ingham County Department of Transportation and Roads

7. **Board of Commissioners**
   a. Resolution in Support of the Move to Amend Campaign
   b. Resolution to Submit to the Electorate a Special Millage Question to Support Parks that are an Asset to the Region *(Referred)*

Announcements
Public Comment
Adjournment

**PLEASE TURN OFF CELL PHONES OR OTHER ELECTRONIC DEVICES OR SET TO MUTE OR VIBRATE TO AVOID DISRUPTION DURING THE MEETING**

The County of Ingham will provide necessary reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the County of Ingham. Individuals with disabilities requiring auxiliary aids or services should contact the County of Ingham in writing or by calling the following: Ingham County Board of Commissioners, P.O. Box 319, Mason, MI 48854 Phone: (517) 676-7200. A quorum of the Board of Commissioners may be in attendance at this meeting. Meeting information is also available on line at [www.ingham.org](http://www.ingham.org).
COUNTY SERVICES COMMITTEE
August 21, 2012
Minutes

Members Present: Dianne Holman, Andy Schor, Mark Grebner, Victor Celentino, Debbie De Leon, and Don Vickers

Members Absent: None

Others Present: Becky Bennett, Board Chairperson Copedge, Mary Lannoye, Travis Parsons, Michelle Rutkowski, Jamie McAlloon Lampman, Anne Burns, Rick Terrill, Greg Harless, Eric Schertzing, Curtis Hertel, Maureen Winslow, Bill Conklin, Renée Branch Canady, Deb Brinson, Steve Walters, Chuck Goeke, Paul Kindle, Chuck Gray, Willis Bennett, Sandy Gower, and others.

The meeting was called to order by Chairperson Holman at 6:00 p.m. in the Personnel Conference Room “D & E” of the Human Services Building, 5303 S. Cedar Street, Lansing.

Approval of the July 17, 2012 Minutes
The July 17, 2012 Minutes were approved as submitted.

Additions to the Agenda
1b. Late - Treasurer - Request to Waive the Hiring Freeze and Delay for an Open Chief Deputy Treasurer Position
14a. Pulled - Resolution Authorizing the Renewal of the Agreement with the City of Lansing for the Maintenance of Certain City of Lansing Parks
15e. Pulled - Drain Office Time Card Issue - Referred from the last Board of Commissioners’ Meeting

Limited Public Comment
Bobbie Joyce, Community Health Centers Board of Directors, asked that the Otto Clinic remain open. He stated that Otto is already set up to see patients and this would provide the opportunity to see almost 800 new clients.

Eric Schertzing, Treasurer, provided a handout “Bank On Mid-Michigan Quarterly Update” he provided a brief summary of the initiative. He announced the Land Bank will be holding a public August on Friday August 24, 2012 at the Lansing Center 333 E Michigan Avenue in Lansing. 9:00 a.m. is registration and the sale begins at 10:00 a.m.

Joseph Neff, Otto Clinic Patient, asked that the clinic remain open to continue serving the north side community.
Chuck Goeke, 4-H and Fair Board, updated the Committee on the preliminary numbers from the Fair. He noted they were better than the previous year and there were no major expenses. Mr. Goeke thanked the Commissioners who attended the dinner at the Fair.

John Peters, Lansing Pavement Materials, expressed his concern of competition between asphalt companies with the County’s contractor preference policy.

MOVED BY COMM. VICKERS, SUPPORTED BY COMM. SCHOR, TO APPROVE A CONSENT AGENDA FOR THE FOLLOWING ITEMS:

1. **Treasurer** - Resolution Authorizing an Extension of Temporary Principal Residence Auditor Assistant

2. **Sheriff’s Office**
   a. Request to Waive the Hiring Freeze and Delay for an Open Corrections Deputy Position
   b. Request to Waive the Hiring freeze and Delay for an Open Detective Position

3. **Register of Deeds** - Request to Waiver the Hiring Freeze and Delay for an Index Clerk

4. **Circuit Court** - Request to Waive the Hiring Freeze and Delay for Accountant/Child Care Position

5. **Fair Board**
   b. Resolution to Transfer Funds from Hotel Motel Tax Fund to the Fairgrounds Capital Improvement Account

6. **Department of Transportation & Roads**
   a. Resolution Authorizing the Purchase of One Stump Grinder for the Department of Transportation & Roads
   b. Resolution to Approve Local Road Agreement with Meridian Township for the Ingham County Department of Transportation and Roads
   c. Resolution to Approve Local Road Agreement with Leroy Township for the Ingham County Department of Transportation and Roads
   e. Resolution To Approve Local Road Agreement with Leslie Township For The Ingham County Department Of Transportation And Roads
   f. Resolution to Approve Local Road Agreement with Lansing Township for the Ingham County Department of Transportation and Roads
   s. Resolution to Approve the Special and Routine Permits for the Ingham County Department of Transportation and Roads

7. **Housing Commission** - Resolution to Authorize an Extension to the 2009 Community Development Block Grant Approved in Resolution #09-092
10. **Financial Services** - Resolution Authorizing Signature for Western National Life Deferred Comp Plan

12. **Animal Control**
   a. Resolution to Reorganize Animal Control Positions and Waive the Hiring Freeze and Provide Backfill
   b. Request to Waive the Hiring Freeze and Delay on Vacant Shelter Operator Position

13. **Facilities**
   a. Request to Grant Leave Without Pay for Tom Larkins
   b. Resolution Awarding a Contract to Camelot Services Co., to Provide Carpet Cleaning Services to Various County Facilities
   c. Resolution Awarding a Contract to Pro Tech Environmental Services for the Removal of Mold, Clean Up of the Crawlspace and Encapsulation of the Crawlspace Floor and Walls

14. **Parks**
   d. Resolution Approving an Increase in Soccer Usage Fees for the Hope Soccer Complex

15. **Board of Commissioners**
   a. Resolution Designating September 24, 2012 “Family Day - a Day to Eat Dinner with your Children” in Ingham County
   b. Resolution Making Appointments to the Ingham County Road Advisory Board
   d. Resolution Naming Lady Margaret Groves as the Recipient of the Ingham County Women’s Commission’s 2012 Lucile E. Belen Everyday Heroine Award

**MOTION CARRIED UNANIMOUSLY.**

**MOVED BY COMM. VICKERS, SUPPORTED BY COMM. SCHOR, TO APPROVE THE ITEMS ON THE CONSENT AGENDA.**

**MOTION CARRIED UNANIMOUSLY.**

1. **Treasurer**
   b. Request to Waive the Hiring Freeze and Delay for an Open Chief Deputy Treasurer Position

**MOVED BY COMM. CELENTINO, SUPPORTED BY COMM. GREBNER, TO APPROVE WAIVING OF THE HIRING FREEZE AND DELAY FOR AN OPEN CHIEF DEPUTY TREASURER POSITION.**
Comm. De Leon reminded the Committee that the position requirements were changed to require a law degree asking Mr. Schertzing if that has changed. Mr. Schertzing stated that the position description has reverted back with no law degree needed and the salary has been lowered.

MOTION CARRIED UNANIMOUSLY.

5. Fair Board
   a. Resolution Authorizing the Use of Hotel/Motel Funds for Advertising for the 2012 Ingham County Fair

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE RESOLUTION AUTHORIZING THE USE OF HOTEL/MOTEL FUNDS FOR ADVERTISING FOR THE 2012 INGHAM COUNTY FAIR.

Comm. De Leon noted there is no time frame in the Resolution and asked for clarification of what this is to cover. Mr. Goeke explained this will cover advertising for the Fair and capital improvements. He further explained why there is a significant fund balance giving Mr. Brail the credit for recognizing the Hotel/Motel funds were not being effectively utilized for capital improvements. Mr. Goeke gave examples of capital improvements that are needed. Ms. Lannoye explained how the funds are transferred to the Fair.

Chairperson Holman asked if more money was spent on advertising this year. Mr. Goeke estimated it was about the same as last year. Mr. Goeke stated the turnout was better this year and the Midway did better. Comm. De Leon noted there was not a rain day.

Comm. Grebner overviewed the division of the Hotel/Motel tax.

MOTION CARRIED UNANIMOUSLY.

   c. Resolution Honoring Terry Brail

MOVED BY COMM. VICKERS, SUPPORTED BY COMM. GREBNER, TO APPROVE THE RESOLUTION HONORING TERRY BRAIL.

Comm. Vickers stated he pulled this item to acknowledge Mr. Brail’s Fair knowledge, work ethic, enthusiasm and overall attitude. He further stated that the atmosphere at the Fair was very different this year because to Terry’s willingness to work with people and leadership. He noted that Mr. Brail leads by example working 10 to 14 hour days everyday and working alongside the employees.

Mr. Goeke added that Mr. Brail has a “can do” and “let’s make it happen” attitude which spreads to everyone around him.

MOTION CARRIED UNANIMOUSLY.
6. **Department of Transportation & Roads**

   d. Resolution to Approve Local Road Agreement with Delhi Township for the Ingham County Department of Transportation and Roads

   g. Resolution Authorizing a Contract with Gallagher Asphalt Co. for Item I of the 2012 Local Road Program Bid Packet 1639 Hot in Place Recycling of Various Meridian Township Local Roads

   h. Resolution Authorizing a Contract with Rieth-Riley Construction Co., Inc. for Item II of the 2012 Local Road Program Bid Packet 1639 Asphalt Overlay & Repairs of Various Meridian Township Local Roads

   i. Resolution Authorizing a Contract with Gallagher Asphalt Co. for Item III of the 2012 Local Road Program Bid Packet 1639 Hot in Place Recycling of Various Lansing Township Local Roads

   j. Resolution Authorizing a Contract with Rieth-Riley Construction Co., Inc. for Item IV of the 2012 Local Road Program Bid Packet 1639 Asphalt Overlay & Repairs of Various Lansing Township Local Roads

   k. Resolution Authorizing a Contract with Gallagher Asphalt Co. for Item V of the 2012 Local Road Program Bid Packet 1639 Hot in Place Recycling of Various Delhi Township Local Roads

   l. Resolution Authorizing a Contract with Rieth-Riley Construction Co., Inc. for Item VI of the 2012 Local Road Program Bid Packet 1639 Asphalt Overlay & Repairs of Various Delhi Township Local Roads

   m. Resolution Authorizing a Contract with Rieth-Riley Construction Co., Inc. for Item VII of the 2012 Local Road Program Bid Packet 1639 Asphalt Overlay & Repairs of Jewitt Road, Tomlinson To Kipp Roads Vevay Township

   n. Resolution Authorizing a Contract with Rieth-Riley Construction Co., Inc. for Item VIII of the 2012 Local Road Program Bid Packet 1639 Asphalt Paving of Baseline Road, Moechel Road to the South County Line Stockbridge Township

   o. Resolution to Approve Waterborne Pavement Marking Agreement with City of Leslie for the Ingham County Department of Transportation and Roads

   p. Resolution to Approve Waterborne Pavement Marking Agreement with City of Mason for the Ingham County Department of Transportation and Roads

   q. Resolution to Approve Waterborne Pavement Marking Agreement with City of Williamston for the Ingham County Department of Transportation and Roads

   r. Resolution to Approve Waterborne Pavement Marking Agreement with Village of Webberville for the Ingham County Department of Transportation and Roads

**MOVED BY COMM. GREBNER, SUPPORTED BY COMM. VICKERS, TO APPROVE RESOLUTION AGENDA ITEMS “D” AND “G THROUGH “R” (listed above).**

Mr. Conklin explained the agreements along with the local road cost sharing noting the Committee had approved very similar agreements at the last meeting. He further explained the resolutions were to approve contracts with low bidders’ similar to how Parks and Facilities operate. He further explained the competitive nuances of the road paving industry and that the County Department of Transportation and Roads is more of a maintenance agency that does not pave roads.
Comm. Grebner stated the 10% matching policy is to give local contractors an opportunity to work in their community not to create a discrepancy amongst bids or monopolize a market. He expressed his concern that the Ingham County Department of Transportation & Roads will be working with larger numbers than other departments and 10% could be a substantial amount of money. Mr. Conklin stated that currently there are only two asphalt producers/pavers and only one is in the County. Mr. Conklin described how the asphalt producers/pavers do business. He noted that it would be possible with a 10% policy that another company could have for an example an unintended $90,000+ advantage/disadvantage therefore some companies choose not to bid. Mr. Conklin explained with so little competition the competitor bidding is very aggressive (to the penny) and each is very aware of the other’s bottom line. Mr. Conklin did note that some contractors outside of the County do employ Ingham County residents and when working they spend their money at retail establishments. The Committee asked Mr. Conklin to provide alternative recommendations to the policy at the next meeting.

Chairperson Holman invited Mr. Conklin to always feel free to come before the Board of Commissioners and express any concerns he may have. Ms. Lannoye stated that Mr. Conklin did contact her with this specific issue; however, she does not have the authority to waive the policy. Mr. Conklin stated he is working on a tight timeline and a short budget calendar. Comm. Grebner stated the Committee should move ahead and continue to work things out with the goal that the preference provides a competitive bidding market and not just one bid. Comm. Grebner suggested that the County Attorney review if the local contractor preference policy violates any State of Michigan or Federal law.

Comm. Schor stated the reason local preference is that Ingham County businesses pay higher taxes for more services to be in the County. That business owner decided to locate in Ingham County thus receiving the preference. Comm. Schor further stated that he understands other companies hire Ingham County residents; however, questioned how many do they hire. Comm. Schor stated that he is not convinced that there needs to be a change.

Comm. Celentino provided Mr. Conklin with a street that should be on the list. Mr. Conklin will look into the matter. Comm. Celentino asked if the matches are exact matches. Mr. Conklin answered yes. Comm. Celentino asked if Township funds could be carried over to the next year. Mr. Conklin answered yes explaining the procedure.

It was noted that the Resolutions should be consistent stating “the County on behalf of the Road Department” agrees…. Note: some Resolutions read “that the Road Department”.

Comm. De Leon thanked Mr. Conklin for the memo he provided. Comm. De Leon asked if the final cost of the improvement is greater than twice the match will in fact the Township be responsible and is there a cap. Mr. Conklin explained the County match is limited and very few projects lead up to the 5%.

(Comm. Celentino stepped out at 7:02 p.m.)
Comm. De Leon asked if the County is invoiced after the project is done. Mr. Conklin answered yes. Comm. De Leon asked if there have been problems with the Townships paying their invoice. Mr. Conklin answered no.

Comm. De Leon asked if carry over is allowed for two years. Mr. Conklin explained the carry over process.

(Comm. Celentino Returned at 7:06 pm)

Comm. De Leon reminded Mr. Conklin that he would provide the Committee with an email listing various permits, requirements, routine or not and bonding. Mr. Conklin stated he will have the information available to email in September.

(Comm. Schor stepped out at 7:06 pm and returned at 7:08 p.m.)

Comm. De Leon requested the Committee receive a copy of the “carry over” policy. Mr. Conklin agreed to do so.

Ms. Lannoye stated that the Ingham County Department of Transportation & Roads is handled similar to the way other County capital projects are handled. Comm. De Leon questioned who’s policy is being followed the Ingham County Department of Transportation & Roads or the County’s. Ms. Lannoye explained that the transition process is honoring what was in place at the Ingham County Department of Transportation & Roads and is moving toward part of the County Budget.

Comm. De Leon stated that she is concerned that the Committee has received no training, orientation or knowledge of expectations in regard to the Ingham County Department of Transportation & Roads.

MOTION, ON AGENDA ITEMS “D” AND “G” THROUGH “R”, CARRIED UNANIMOUSLY.

Board Chairperson Copedge recommended placing Ingham County Department of Transportation & Roads at the end of the agenda for future meetings. Board Chairperson Copedge suggested a sub-committee be formed for the Department of Transportation & Roads.

Chairperson Holman acknowledged there may be many adjustments needed along the way and this is a transition period. Chairperson Holman will contact Mr. Conklin regarding ideas for training.

8. Farmland and Open Space Preservation Board - Resolution Approving the Farmland and Open Space Preservation Board’s Recommended Selection Criteria (Scoring System) for the 2012 Farmland and Open Space Application Cycles

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. VICKERS, TO APPROVE THE RESOLUTION APPROVING THE FARMLAND AND OPEN SPACE PRESERVATION BOARD’S RECOMMENDED SELECTION CRITERIA (SCORING SYSTEM) FOR THE 2012 FARMLAND AND OPEN SPACE APPLICATION CYCLES.
Comm. Grebner asked if the policy change on how property rights are purchased is in effect. Mr. Kindle stated that Ms. Byers is working with Mr. Hudgins. Comm. Grebner expressed his continued concern that the County is working through a competitive process and maximizing the County’s money. He suggested that the properties should be rated and not ranked. The Committee discussed ranking versus rating, property quality, value to the County and assigning values.

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. CELENTINO, TO AMEND THE 5th WHEREAS STRIKING THE WORD RANKING AND ADDING “SETTING RELATIVE VALUES TO”, AND AS FOLLOWS:

WHEREAS, in the course of implementing the Ordinance, the Ingham County Farmland and Open Space Preservation Board has established Selection Criteria for ranking setting relative values to landowner applications to the Ingham County Farmland and Open Space Preservation Program; and

THIS WAS ACCEPTED AS A FRIENDLY AMENDMENT.

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. SCHOR, TO AMEND THE RESOLUTION BY ADDING: WHEREAS, COUNTY POLICY REQUIRES A GENUINELY COMPETITIVE PROCESS BE EMPLOYED FOR SELECTING PARCELS OVERSEEN BY THE PURCHASING DEPARTMENT.

THIS WAS ACCEPTED AS A FRIENDLY AMENDMENT.

Board Chairperson Copedge expressed his concern that people remember the importance of protecting certain pieces of property, water quality, water runoff and the impact of certain soils.

MOTION TO APPROVE THE RESOLUTION, AS AMENDED, CARRIED UNANIMOUSLY.

9. Health Department
   a. Resolution to Accept Funds from the U. S. Department of Health and Human Services, Division of Health Resources and Services Administration for the Healthy Start Grant and Establish Perinatal Systems Project Coordinator/Senior Public Health Nurse and Health Educator II Positions
   
   b. Resolution to Authorize the Conversion of the Otto Community Health Center from a School-Based Health Center to a General Community Health Center and Establish a Primary Care Physician

MOVED BY COMM. VICKERS, SUPPORTED BY COMM. GREBNER, TO APPROVE THE RESOLUTIONS: a. RESOLUTION TO ACCEPT FUNDS FROM THE U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH RESOURCES AND SERVICES ADMINISTRATION FOR THE HEALTHY START GRANT AND ESTABLISH PERINATAL SYSTEMS PROJECT COORDINATOR/SENIOR PUBLIC HEALTH NURSE AND HEALTH EDUCATOR II POSITIONS AND  b. RESOLUTION TO AUTHORIZE THE CONVERSION OF THE OTTO COMMUNITY HEALTH CENTER FROM A SCHOOL-BASED HEALTH CENTER TO A GENERAL COMMUNITY HEALTH CENTER AND ESTABLISH A PRIMARY CARE PHYSICIAN.
Comm. De Leon questioned if this is for African Americans only. Dr. Branch Canady explained because African Americans are the highest statistic it primarily targets that community. She further explained that this will allow staff to look at other gaps in the communities. Comm. De Leon stated that she is pleased the Lansing Housing Commission is involved.

Comm. De Leon asked if the School base is moving to Eastern and the current staff will remain at the Otto Clinic. Ms. Brinson explained the school base funding and the shift of existing staff. She further explained that within the health system employees will be redirected and some may need to be hired. The Otto Clinic has the potential to serve an additional 800 to 1,000 patients.

Comm. De Leon clarified that Cristo Rey is not shutting down.

MOTION, ON AGENDA ITEMS A & B, CARRIED UNANIMOUSLY.

11. MIS - Resolution to Approve the Contract Amendment with AT&T to Provide Network Connectivity to the Road Department Administrative Building and Sexton High School

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE RESOLUTION TO APPROVE THE CONTRACT AMENDMENT WITH AT&T TO PROVIDE NETWORK CONNECTIVITY TO THE ROAD DEPARTMENT ADMINISTRATIVE BUILDING AND Sexton HIGH SCHOOL.

Comm. De Leon questioned why the connectivity with Sexton High School. Ms. Brinson stated they are a school based health center.

MOTION CARRIED UNANIMOUSLY.

Election night update:

Mr. Walters summarized the changes to the website over the past year. He explained that the number of visitors on election night was thirteen times the normal usage; however, that should not have cause a problem with the server. The vendor was brought in to assess the problem; they are still investigating and may have to do a heavy load test to recreate the problem. He noted that a new version of the system is to be released very soon and testing will not take place until that is in place.

Mr. Walters stated that a backup plan will be in place for the November election giving the examples of: MIS person in the Clerk’s office, web vendor on call and a separate website for election results.

Comm. De Leon stated she does not understand because there was not a capacity “load” problem in the past. She questioned how this vendor would not realize the capacity issue. Mr. Walters stated it was also unexpected by them the server should have handled it. The Committee discussed issues with computers and upgrades.

Comm. Schor asked that there be a solid computer software/internet back-up plan in place for the November election. Comm. Celentino agreed.
Ms. Lannoye introduced Mr. Michael Ashton stating it is his second day on the job. Mr. Ashton provided his experience and background and answered Commissioners questions.

14. Parks
   b. Resolution Approving a Contract with Anderson-Fisher & Associates for the Grading and Landscaping of the Hawk Island Snow Park
   c. Resolution Approving a Contract with Superparks LCC (Planet) to Design, Construct, Maintain, and Manage the Hawk Island Snow Park

*Mr. Terrill noted that Superparks should be LLC not LCC throughout the resolution.*

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE RESOLUTIONS: b. RESOLUTION APPROVING A CONTRACT WITH ANDERSON-FISHER & ASSOCIATES FOR THE GRADING AND LANDSCAPING OF THE HAWK ISLAND SNOW PARK AND c. RESOLUTION APPROVING A CONTRACT WITH SUPERPARKS LCC (PLANET) TO DESIGN, CONSTRUCT, MAINTAIN, AND MANAGE THE HAWK ISLAND SNOW PARK.

Discussion 14b:
Comm. Vickers stated he was pleased to hear something was being done with the hill.

Discussion 14c:
Comm. Vickers then expressed his concerns that Superparks LLC will be receiving 75% of the revenue and residents ability to use the hill. He stated it was designed for the residents. Mr. Terrill stated this is to draw in the local residents. Comm. De Leon stated she was pleased with the vendor and these types of events provide role models to kids.

Board Chairperson Copedge expressed his concern of liability. Mr. Terrill explained the vendor has insurance as required by the County. Mr. Bennett explained the vendor is assuming most of the risk and a contract will be in place. Mr. Bennett further explained the County will receive 25% while the vendor is doing all of the work, hiring labor and the County is essentially paying the utilities. Ms. Lannoye stated the County will receive 100% of the parking revenue. Board Chairperson Copedge asked how long the company has been doing this. Mr. Terrill answered 20 years. Comm. Vickers asked if the contract can be severed after one year. Mr. Terrill answered yes or if they do not fulfill the contract.

Board Chairperson Copedge asked if there were any labor agreements, conflict with labor groups and how many people will work for the vendor. He further asked if the Unions have been notified. Mr. Parsons stated there has not been a conversation with the Unions. Ms. Lannoye reminded the Committee these will be seasonal employees. Comm. Grebner stated it is always good to hold discussions with the Unions. Mr. Terrill stated there may be 6 to 12 employees depending on weather. Board Chairperson Copedge asked if wages are comparable to the County. Mr. Parsons stated he did not review the agreement. Chairperson Holman asked if they would be paid a living wage. Comm. De Leon noted they are seasonal workers.
Comm. De Leon asked that the County receive a written procedures manual once the contract expires with Superparks LLC. Mr. Bennett stated he will have something in place and would ask Superparks LLC for that. Comm. De Leon suggested language be included in the contract. Mr. Terrill noted that it is not part of the agreement and not everything would go into a manual.

Comm. Vickers asked to divide the question because he has not fully decided on Agenda Item 14c. He expressed his concern that residents always have the ability to use the parks.

MOTION, TO APPROVE A CONTRACT WITH ANDERSON-FISHER & ASSOCIATES FOR THE GRADING AND LANDSCAPING OF THE HAWK ISLAND SNOW PARK, CARRIED UNANIMOUSLY.

MOTION, TO APPROVE A CONTRACT WITH SUPERPARKS LCC (PLANET) TO DESIGN, CONSTRUCT, MAINTAIN, AND MANAGE THE HAWK ISLAND SNOW PARK, CARRIED, with Comm. Vickers Voting “no”.

15. Board of Commissioners
   c. Lansing Charter Township Request for Full Faith and Credit to Redevelop the Former Anchor Motor Freight/Leaseway Properties (Materials to be Distributed Under Separate Cover)

Matt Brinkley, Lansing Township Senior Planner, provided a handout “Brownfield TIF Plan Concept” and the background of the Townships request. Mr. Brinkley noted that this is a discussion only whether he should move forward or cease working on the project.

Matt Brinkley showed the St. Joseph properties on a map. He explained the properties were used as a truck terminal. The improvements for redevelopment include 55,000 SF commercial/light industrial and 10,000 SF of office space on 3 parcels of land. He explained that there are environmental issues that will need to be addressed and there is missing copper from the buildings. He noted the buildings were vacated about four years ago and there have been break-ins.

Mr. Brinkley explained that the properties had gone through the bankruptcy process and the trustee was very difficult to negotiate with. He further explained that there is a developer interested in working with the Township to redevelop the site and its improvements; however, there obstacles because there were fuel tanks on the premises and possibly asbestos in the buildings.

Mr. Brinkley overviewed Lansing Township’s revenue and debt limits along with other capital improvements that are needed. Comm. Schor expressed his concern that there is not a plan in place right now, no baseline environmental and no known costs. Mr. Brinkley stated he understands this and this is a discovery meeting if the Township should move forward with their time and resources.

The Committee discussed the Eastwood project, debt limits, repayment, taxable values, speculation, Brownfield Redevelopment, repayment, BEA, DEQ criteria, the Land Bank and the benefit of neighborhood redevelopment.
Comm. Celentino stated that he appreciates Lansing Township’s effort in redeveloping neighborhoods and would like them to come back to the Committee with solid details. Comm. Celentino noted he understands his colleagues concerns. Comm. Vickers stated that he believes the Township should move forward using their debt limit and the County should not be in the business of loaning money. Comm. Grebner stated that loaning the money would not be an option; however full faith in credit is. Chairperson Holman suggested working out the details and the Committee would have interest in helping facilitate the redevelopment.

Comm. Grebner asked what the County’s debt limit is. Ms. Lannoye stated she will provide the Committee with the County’s debt limit. Mr. Brinkley will provide Comm. Celentino with Lansing Township’s borrowing limits.

The Committee asked Mr. Brinkley to move forward with a plan.

**Announcements**

Board Chairperson Copedge stated he would like to continue his conversation about a recent personnel issue at the Department of Transportation and Roads. Ms. Lannoye stated she had sent Board Chairperson an email regarding his concerns and asked if he had received it. Board Chairperson Copedge stated he had more questions. Board Chairperson Copedge stated he will call and/or email Mr. Conklin personally.

Comm. Grebner addressed the rumors of Mayor Bernero seeking a regional parks millage for the November ballot. There was a brief discussion.

Ms. Bennett advised the Committee that there are currently 14 members who are willing to serve on the Advisory Board for the Department of Transportation and Roads. She is still waiting for, White Oak Township to reply and Wheatfield Township will not have a representative at this time. The intent was for the Advisory Board to be comprised of 16 members.

**Public Comment**

Doug Needham, MITA, expressed his concerns of local preference of highway contractors and competition. He described how the companies who work on heavy highways spend money and pay taxes in the communities where they work. He stated the MITA is opposed to local preference.

The meeting adjourned at approximately 9:06 p.m.

Respectfully submitted,

Julie Buckmaster
SEPTMBER 18, 2012 COUNTY SERVICES COMMITTEE MEETING  
STAFF REVIEW SUMMARY

HIRING FREEZE
The Controller recommends approval of the following hiring freeze requests:

1(a). Sheriff’s Office - Corrections Sergeant
1(b). Sherriff’s Office - Corrections Deputy
1(c). Sheriff’s Office - Request to Transition the Jail Lobby Control from 2 full time Corrections Officers to Permanent Part Time Deputies

2. Circuit Court - Court Officer/Legal Research Clerk

ACTION ITEMS
The Controller recommends approval of the following action items:

3(b). Based on the recommendation of the Sheriff’s Office and our Facilities staff, I authorized the purchase of 2 Kettles for the Jail kitchen. Pursuant to County policy, I am hereby notifying the Committee of the emergency purchase.

4(a). Potter Park Zoo - Resolution Appointing Sherrie Graham as the Potter Park Zoo Director and Authorizing an Amendment to the Existing Contract with the Potter Park Zoo Society.

Last year the Board appointed Ms. Graham as the Interim Zoo Director and authorized a contract with the Zoo Society to share her services. The County agreed to reimburse the Zoo Society $4,000 per month for her services. Because Ms. Graham was a contract employee she could not directly hire, fire, or discipline employees. The Zoo’s accreditation agency is insisting that Ms. Graham must have direct supervisory authority. Therefore, it is necessary to change the arrangement with the Zoo Society. This resolution appoints Ms. Graham as the permanent Zoo Director and places her into a special part time County position with an annual salary of $47,265. She will continue to work part-time as the Executive Director of the Zoo Society.

4(b). Potter Park Zoo - Resolution Authorizing an Amendment to the Agreement with the City of Lansing for the Lease and Operations of the Potter Park Zoo. (Discussion item only)

This resolution would authorize a contract amendment that would remove all references that the Zoo will operate under the direction of the Ingham County Parks and Recreation Commission. The resolution directs the Controller and the County Attorney to contact the City and request approval of the contract amendment. Upon execution of the amendment the Potter Park Zoo will no longer operate under the direction and control of the Parks Commission and instead will be established as a separate County department reporting to the County Controller. The resolution also acknowledges that the Potter Park Zoo Board would continue to monitor the Zoo operations and provide advice and recommendations to the Board of Commissioners.

5(a). Human Resources - Resolution Authorizing the Human Resources Department to Contract with the Tri-County office on Aging to Provide Human Resources Services.

The resolution authorizes a one-year agreement from January 1, 2012 through December 31, 2012 in the amount of $40,028
5(b). Human Resources - *Resolution Authorizing the Establishment of MERS Hybrid Plans for the Board of Commissioners and Elected Officials.*

This resolution failed to win approval of the County Services Committee at their July 17 meeting. Finance passed the resolution at their July 18 meeting. The resolution was amended on the board floor at the July 24, 2012 Board meeting and then tabled. At the August 28 Board meeting, the resolution was sent back to the County Services and Finance Committees.

The resolution authorizes the establishment of MERS Hybrid pension plans for newly elected Board members and elected officials. The original resolution included a hybrid pension with a DB multiplier of 1.0 and an employer DC contribution of 2.5%. The amended resolution increased the DB multiplier to 1.5. I continue to support the original proposal.


This resolution failed to win approval of the County Services Committee at the June 5, 2012 meeting. Before the motion to approve the resolution failed, the Committee did approve an amendment that would remove the authorization to start health care providers at step 5. The Finance Committee tabled the resolution until their August 22 meeting at which time it was approved. At the August 28 Board meeting the resolution was sent back to the County Services and Finance Committees.

Please refer to my May 30, 2012 memorandum for a detailed explanation of the changes. The 2 main changes are an increase in employee pension contributions of 1.8% and the establishment of a hybrid pension plan for new hires. I will be offering a substitute at the Committee meeting that changes the effective date of the contract to January 1, 2013 and places the management staff at the Department of Transportation and Roads under this plan.

5(d). Human Resources - *Resolution Authorizing the Establishment of MERS Hybrid Plans for Managerial and Confidential Employees.*

The resolution would effectuate the pension changes outlined in the Managerial and Confidential Personnel Manual by establishing a hybrid pension plan that includes a DB Multiplier of 1.0 and an employer DC contribution of 2.5%.

6. Department of Transportation and Roads - *Resolution to Approve the Special and Routine Permits for the Ingham County Department of Transportation and Roads.*

The resolution approves 12 special permits.

**OTHER ACTION ITEMS**

7(a). Board of Commissioners - *Resolution in Support of the Move to Amend Campaign*

7(b). Board of Commissioners - *Resolution to Submit to the Electorate a Special Millage Question to Support Parks that are an Asset to the Region.*

This resolution was referred to the Committee by the Board at their August 28 meeting. I would suggest that the Committee direct the Controller and the Parks Board to work with the Parks and Recreation Commission and develop recommendations and/or a plan regarding this issue.
August 17, 2012

Ingham County Board of Commissioners
County Services Committee
Chairperson Dianne Holman

Dear Chairperson Holman:

The Ingham County Sheriff’s Office is requesting a waiver of the 2012 hiring freeze for an open Corrections Sergeant position.

The Ingham County Sheriff’s Office, received a retirement letter, effective September 22, 2012 from a Corrections Sergeant. This position was funded for the 2012 Sheriff’s budget.

I am requesting a waiver of this committee on the 2012 hiring freeze so we can fill this position. Additionally, after the eight week hiring delay, we wish to backfill the open corrections deputy position made vacant by the promotion to this Sergeant’s position.

If this position is not filled, it will affect our supervision of operations in our corrections facility, inmates, thus increasing liability for the county. Additionally, overtime will increase in order to maintain supervision of our corrections personnel.

Sincerely,

Sheriff Gene L. Wriggelsworth
Ingham County Sheriff
September 6, 2012

Ingham County Board of Commissioners
County Services Committee
Chairperson Dianne Holman

Dear Chairperson Holman:

The Ingham County Sheriff’s Office is requesting a waiver of the 2012 hiring freeze for an open Corrections Deputy position.

The Ingham County Sheriff’s Office dismissed a probationary Corrections Deputy, effective September 5, 2012. This position was funded for the 2012 Sheriff’s budget.

I am requesting a waiver of this committee on the 2012 hiring freeze. If approved, we will delay filling this position for the mandatory 8 weeks hiring delay per the Commission’s request.

If this position is not filled, it will affect the safety and supervision of our inmates, thus increasing liability for the county.

Sincerely,

Sheriff Gene L. Wriggelsworth
Ingham County Sheriff
TO: Mary Lannoye, Controller
FROM: Allan C. Spyke, Undersheriff
DATE: September 11, 2012
RE: Part-time Lobby Control

This memo is to request that we move forward with transitioning the Ingham County Jail Lobby Control from two Full-time Deputies to Permanent Part-time Deputies. As part of contract negotiations between the Fraternal Order of Police Corrections Unit and Ingham County an agreement was reached and a Letter of Understanding was signed allowing for the transition to Part-time Lobby Control Deputies. This letter of Understanding was signed by County Chair Person Dale Copedge on May 15, 2012.

It would be my recommendation that we hire five permanent Part-time Deputies, thus allowing us to stay under the hour threshold where they would begin to receive Part-time benefits. It should be noted that the wages always stay at the hourly rate of a Step 1 Deputy. Potential savings by this transition to Part-time Deputies is estimated at $67,037.00. I would request that this be placed on the County Services Agenda or approved by you for the posting of the positions by our Human Resources Office.

Please contact me if you have questions.
MEMORANDUM

TO: County Services Committee

FROM: Rhonda K. Swayze, Deputy Court Administrator

RE: Request to Waive the Hiring Freeze/Hiring Delay for Court Officer/Legal Research Clerk

DATE: September 4, 2012

The Court Officer/Legal Research Clerk (aka Law Clerk) for Judge Lawless has submitted her letter of resignation stating that she will be leaving her position with Ingham County on September 14, 2012.

Each Circuit Judge has three staff members for their office: Judicial Assistant, Court Reporter and Court Officer/Legal Research Clerk. Not having all three staff members creates a hardship on the ability to do the work in the Judicial Office. The Court Officer/Legal Research Clerk is the only staff member of the office who possesses accreditation to assist the Judge in the analysis of law. Judge Lawless relies heavily on the support of the Court Officer/Legal Research Clerk.

The Court Officer/Legal Research Clerk assists the Judge on a daily basis in the legal review of orders, motions and personal protection orders by communicating legal concerns and direction not only to the Judge but also to attorneys and individuals in pro per. She acts as back-up to the Judicial Assistant and helps analyze and execute new statues and court rules.

The Court Officer/Legal Research Clerk is the first in line to create order and security for the Judge, jurors and the general public. This position is deputized by the Ingham County Sheriff’s Office and has the ability to arrest and escort prisoners in the absence of Sheriff’s Office Deputies. The Court Officer/Legal Research Clerk has the responsibility for jurors. The Court Officer/Legal Research Clerk must escort the jurors to and from the courtroom and the jury room and act as liaison between the jury and the judge.

The Court Officer/Legal Research Clerks also rotate assisting the Judge assigned to Personal Protection Hearings each week. The loss of this position would put a hardship on the other Judges in the Family Division as their Court Officer/Legal Research Clerks would need to fill in on the days that are vacant by the absence of this Court Officer/Legal Research Clerk.

Judge Lawless currently serves as Chief Circuit Judge and has elected not to reduce her docket; therefore she relies on the assistance from this position to enable her to carry out the duties of Chief Judge.

Thank you for your consideration.
Agenda Item 3b

To: County Services and Finance Committees
From: Rick Terrill, Facilities Director
Date: September 12, 2012
Re: Emergency PO’s to replace two (2) Kettles in the Ingham County Jail Kitchen

Dear Committee Members,

Ingham County Facilities is requesting two emergency Purchase Order’s be authorized to replace the two (2) kettles in the Jail kitchen. A PO for the purchase of two (2) gas kettles and a PO for the gas piping modifications are needed.

The kettles are 15 years old; we are currently working with just one kettle as the other is in need of repair, once again. The kettles were evaluated, by Midwest Food Equipment and were found to need new elements, at a replacement cost of $10,000.00 for each kettle. However due to their age, the manufacturer will not guarantee how long the repairs will last and it is recommended that the kettles be replaced.

The two kettles will be purchased from HPS for a total cost of $51,310.00, which includes installation. The current kettles are electric; they will be replaced with gas kettles due to the cost of electric kettles being much higher.

Myers Plumbing and Heating will perform the gas piping modifications, to accommodate the new kettles. The total cost will be $2,400.00.

The kettles are used every day, and are critical to have working as to not disrupt food preparation/distribution for over 600 inmates and staff.

We are requesting a line item transfer of $51,310.00, from approved CIP project 245-30199-976000 2FC11, which has a balance of $90,000.00 for the Sheriff’s Department roof replacement. The funds would be transferred into 664-31199-978000-2FC21, to be used for kettle replacement.

There is an approximate lead time of 20 days for the new kettles and according to Midwest Food Equipment; we are on borrowed time with the one kettle that is working.

If you have any questions, please feel free to contact me at (517) 676-7310.

Sincerely,

Rick Terrill
Agenda Item 4a

Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION APPOINTING SHERRIE GRAHAM AS THE POTTER PARK ZOO DIRECTOR AND AUTHORIZING AN AMENDMENT TO THE EXISTING CONTRACT WITH THE POTTER PARK ZOO SOCIETY

WHEREAS, on November 8, 2011 the Board of Commissioners approved resolution #11-346 authorizing a contract amendment with the Potter Park Zoo Society for its Director Sherrie Graham to also serve as the Interim Director of the Potter Park Zoo; and

WHEREAS, on January 24, 2012 the Board of Commissioners also approved Resolution #12-xxx authorizing a contract amendment that provided for the county to reimburse the Zoo Society for Ms. Graham’s services in the amount of $4,000 per month; and

WHEREAS, the Potter Park Zoo Board is recommending that Ms. Graham be appointed the permanent Director and continue to serve as the Executive Director of Zoo Society; and

WHEREAS, in order for Ms. Graham to directly supervise Zoo employees she would have to become a county employee.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby establishes a special part time Zoo Director position under the Managerial and Confidential Plan.

BE IT FURTHER RESOLVED that as a special part time position the employee will not be eligible for County paid fringe benefits including but not limited to healthcare, health waiver, life insurance, dental insurance, disability insurance, vacation time, sick time or longevity.

BE IT FURTHER RESOLVED that the Ingham County Board of Commissioners appoints Sherrie Graham as the Potter Park Zoo Director, with a gross annual wage of $47,265.

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes an amendment to the existing agreement with the Potter Park Zoo Society in order to clearly delineate Ms. Graham’s dual responsibilities as Zoo Society Director and Potter Park Zoo Director.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners and the County Clerk are authorized to sign the contract amendment subject to approval as to form by the County Attorney.
Introduced by the County Services and Finance Committees:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE CITY OF LANSING FOR THE LEASE AND OPERATIONS OF THE POTTER PARK ZOO

WHEREAS, the Board of Commissioners authorized an agreement with the City of Lansing for the lease and operation of the Potter Park Zoo in Resolution#07-058; and

WHEREAS, the agreement is still in effect today; and

WHEREAS, the agreement with the City contains references that the Zoo will operate under the direction and control of the Ingham County Parks & Recreation Commission; and

WHEREAS, the Ingham County Board of Commissioners would like to remove the Potter Park Zoo from under the control of the Parks & Recreation Commission and establish it as a separate county department reporting to the County Controller.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes an amendment to the contract with the City of Lansing for the lease and operations of the Potter Park Zoo that would eliminate all references that the Zoo will operate under the direction of the Ingham County Parks and Recreation Commission.

BE IT FURTHER RESOLVED, that the County Controller and the County Attorney are hereby authorized to contact the City of Lansing and request approval of the contract amendment.

BE IT FURTHER RESOLVED, that the Chairperson of the Board and the County Clerk are authorized to sign the amendment subject to approval as to form by the County Attorney.

BE IT FURTHER RESOLVED, upon execution of the contract amendment the Potter Park Zoo will no longer operate under the direction and control of the Ingham County Parks and Recreation Commission, and instead will be established as a separate county department reporting to the County Controller.

BE IT FURTHER RESOLVED that the Potter Park Zoo board would continue to monitor Zoo operations and provide advice and recommendations to the Board of Commissioners.
Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING THE HUMAN RESOURCES DEPARTMENT TO CONTRACT WITH THE TRI-COUNTY OFFICE ON AGING TO PROVIDE HUMAN RESOURCES SERVICES

WHEREAS, the Office on Aging requires human resources services for its personnel; and

WHEREAS, the County has proposed to continue to provide the Office on Aging the human resources services which the Office on Aging requires; and

WHEREAS, the Office on Aging accepts the County’s proposal, subject to the terms and conditions of this Agreement.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes a contract to be executed for the Ingham County Human Resources Department to provide the Tri-County Office on Aging with human resources services from January 1, 2012 through December 31, 2012.

BE IT FURTHER RESOLVED, the Office on Aging shall compensate the County for human resources services performed under this Agreement, in total amount not to exceed $40,028.00 for the term of this Agreement.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the Board Chairperson to sign the attached contract document as to form by the County Attorney.
1. Interviewing
   a. Research and create recruitment strategies for job openings.
   b. Screen and refer candidates for phone interviews. Conduct phone interviews as needed.
   c. Create, edit and track interview questionnaires for face-to-face interviews.
   d. Conduct face-to-face interviews with applicable Supervisors.
   e. Make hiring recommendation to Supervisors, Program Directors and/or Executive Director.

2. Job descriptions and salary determination
   a. Create, edit and maintain job descriptions.
   b. Research, analyze and advise on the Agency’s job descriptions and compensation rates as requested.

3. Policy and Procedure interpretation and support.
   a. Provide guidance and technical support to staff regarding Human Resources policies.
   b. Make recommendations to create or edit Human Resources policies as needed.
   c. Working with the Leadership Team, coordinate and assist with revisions to the Employee Handbook, Agency Safety Handbook and all Human Resources policies, procedures and manuals. Responsible for organizing and tracking drafts through the approval process.

4. Employee Relations
   a. Work with the Leadership Team to facilitate consistent application of Human Resources policies.
   b. Monitor Employee Suggestion Box submissions. Prepare responses with input and approval from the Leadership Team and Executive Director.
   c. Draft disciplinary notices for Executive Director’s review.
   d. Deliver disciplinary notices to employees with repetitive performance issues. Issue final warning.
   e. Notify employees of terminations. Responds to unemployment claims. Serve as primary contact to the Agency’s legal counsel regarding UIA appeals.
   f. Investigate allegations of harassment and hostile work environments. Recommends appropriate actions to the Executive Director.

5. Meetings
   a. Attend Leadership Team meetings
   b. Attend Board Meetings. Prepares quarterly activity report for review by the Executive Director and Assistant Director prior to submission to the Board.
   c. Coordinate and arrange quarterly in-service training meetings for employees. Facilitate as needed.
   d. Serve as liaison to the Personnel Committee of the Board and coordinate with them to prepare the Executive Director’s annual performance evaluation.
6. Miscellaneous
   a. Prepare weekly activity log and submit to Executive Director and Assistant Director.
   b. Conduct quarterly benefit and attendance audits.
   c. Conduct needs assessments and helps identify training opportunities to enhance employee development.
   d. Provide information and input on various issues including, but not limited to, FMLA, ADA, OSHA, MIOSHA, Workers Compensation, Safety, Leave of Absence requests.

HR Analyst work time shall be divided between TCOA and Ingham County on a half-day basis (morning for TCOA/afternoons for Ingham County). This division is flexible and recognizes the ever-changing dynamics of Human Resources work activities.
WHEREAS, the County Board of Commissioners has recognized the escalating cost of the current MERS Defined Benefit Plan; and

WHEREAS, the County Board of Commissioners have discussed changes in the MERS pension plans to be provided to future newly elected Board of Commissioners and Elected Officials, serving in their initial term of office effective January 1, 2013; and

WHEREAS, the Human Resources Department has discussed with MERS the establishment of Hybrid Plans for newly elected County Board of Commissioners, in division 16 and Elected Officials, in division 19 and prepared the attached MERS mandated resolution forms.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the attached resolutions establishing the MERS Hybrid Pension Plan for Board of Commissioners and Elected Officials, to be provided to those future newly elected to their initial term of office, effective January 1, 2013.

BE IT FURTHER RESOLVED, that adoption of this resolution will not set a precedent for other collective bargaining contracts, which are currently in negotiations.

BE IT FURTHER RESOLVED, that the County Controller/Administrator is authorized on behalf of the County’s retirement system to sign and execute all documents to effectuate and finalize this transaction, subject to prior approval as to form, by legal counsel.
WHEREAS, under the Municipal Employees Retirement Act of 1984, section 36(2)(a); MCL 38.1536(2)(a); Plan Document Section 36(2)(a), provides the Retirement Board (effective August 15, 1996):

shall determine and establish all of the provisions of the retirement system affecting benefit eligibility, benefit programs, contribution amounts, and the election of municipalities, judicial circuit courts, judicial district courts, and judicial probate courts to be governed by the provisions of the retirement system ... [and] to establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other post employment benefit programs (as amended by 2004 PA 490).

WHEREAS, pursuant to the Board's powers, the MERS Plan Document of 1996 was adopted effective October 1, 1996, and the Plan has been amended periodically by the Board.

WHEREAS, the MERS Plan, an agent, multiple employer, public employee pension plan, has been determined by the Internal Revenue Service to be a governmental plan that is tax qualified as a trust under Code section 401(a) and exempt from taxation under section 501(a).

WHEREAS, on March 14, 2006, the Retirement Board has authorized establishment of a Hybrid Plan, with a defined benefit (DB) and defined contribution (DC) component.

WHEREAS, new Section 19B, Benefit Program H, and related plan amendments, create a new Hybrid Program that a participating municipality or court may adopt for MERS members to be administered in whole or in part under the discretion of the Municipal Employees' Retirement Board as trustee and fiduciary, directly by (or through a combination of) MERS or MERS duly-appointed third-party administrator for the DC component.

WHEREAS, this Uniform Hybrid Program Resolution has been approved by the Retirement Board under the authority of MCL 38.1536(2)(a); Plan section 36(2)(a) declaring that the Retirement Board “shall determine . . . and establish” all provisions of the retirement system. Under this authority, the Retirement Board authorized Section 19B, Benefit Program H, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution as provided under section 19B(2):

- In the event any alteration of any provision of this section 19B, or other sections of the Plan Document related to the provisions of Benefit Program H, is made or occurs, under section 43B of the Plan Document concerning collective bargaining or under any other plan provision or law, adoption of Benefit Program H shall not be recognized, other than in accordance with this section and other sections of the Plan Document related to the provisions of Benefit Program H.

- In the event any alteration of the terms or conditions stated in this Uniform Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have
no obligation or duty: to administer (or to have administered) the Benefit Program H; to authorize
the transfer of any Plan assets to the Hybrid Program; or to continue administration by MERS
directly or indirectly, or by any third-party administrator.

WHEREAS, concurrent with this Resolution, and as a continuing obligation, this governing body
has completed and approved, and submitted to MERS, documents necessary for adoption and
implementation of MERS Benefit Program H.

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts MERS Benefit Program H (Hybrid
Program) as provided below.

I. NEW EMPLOYEES (Plan Sec 19B(4) – (12))

Effective the first day of January ____________, 2012, (to be known as the ADOPTION DATE), the
County of Ingham _____________________________ hereby adopts Benefit Program H for
(MERS municipality/court)
Board of Commissioners - Division 16
(specify division numbers)
first hired or rehired to the division at any time on and after the Adoption Date, and optional
participation for any employee or officer of this municipality otherwise eligible to participate in
MERS under Section 2B(3)(a) of the Plan Document who has previously elected to not participate
in MERS. The employer shall establish the transfer rule for transferred employees in the Employer
Resolution Establishing a Uniform Transfer Provision. ONLY THOSE EMPLOYEES ELIGIBLE
FOR MERS MEMBERSHIP (SECTIONS 2B(3) AND 3 OF THE PLAN DOCUMENT) SHALL BE
ELIGIBLE TO PARTICIPATE.

(A) HYBRID PLAN CONTRIBUTIONS

• The DB Component shall be exclusively funded by the employer, with no member
  contributions permitted.

• For the DC Component, employee and employer contributions shall be required as allowed
  and specified in Plan section 19B(8) and the MERS Uniform Hybrid DC Component Adoption
  Agreement ("Adoption Agreement," Attachment 1, completed and approved and a certified
  copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A
  member is immediately 100% vested in any employee contributions, and is vested in employer
  contributions under the employer vesting schedule.

(B) COMPENSATION AND EARNINGS

• For the DB Component, earnings shall include items of "Compensation" under Section 2A(6)
  of the MERS Plan Document, with the exception of the last sentence, which shall not apply.

• For the DC Component, earnings shall include items of "Compensation" under Section 2A(6)
  of the MERS Plan Document as provided for Benefit Program DC, which equals the Medicare
taxable wages as reported by the employer on the member's federal form W-2, wage and tax
statement.
MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

(C) HYBRID PLAN VESTING

• For the DB Component, 6 year vesting is mandatory (Plan Sec 19B(5)(b)).
• For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the Adoption Agreement (Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.
• As provided in Section 19B(3):
  Where a member has previously acquired in the employ of any participating municipality or participating court:
  (a) not less than 1 year of defined benefit service in force (including Hybrid Program) with any participating municipality or participating court;
  (b) eligible credited service where the participating municipality or participating court has adopted the Reciprocal Retirement Act, 1961 PA 88;
  (c) at least 12 months in which employer contributions by a participating municipality or participating court have been made on behalf of the member under Benefit Program DC; such service shall be applied toward satisfying the vesting schedule for the DB Component, and for the DC Component, for employer contributions.

(D) BENEFITS UNDER HYBRID PLAN

• For the DB component:
  (1) The Benefit Multiplier (Plan Section 19B(4)) initially selected shall be irrevocable, shall not later be changed.

  The multiplier shall be one of the following dependent upon the division's social security coverage status:

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  (2) Final Average Compensation (FAC) shall be FAC-3 (Plan Section 19B(6)).
  (3) The Benefit shall be payable at age 60 (Plan Section 19B(5)(b)). The participating municipality or court may also allow retirement if the member or vested former member has attained age 55 years or older and has 25 or more years of credited service. Adoption of F55/25 shall be an irrevocable action and may not be subsequently changed.

  ☐ Check here to adopt F55/25
(4) Credited Service shall be comprised solely of the sum of (a) the total of the member's credited service (if any) under the previous DB program on the effective date of coverage under the Hybrid Plan (Plan Section 19B(16)(b)(ii); see II (E)(b)(ii) below); plus (b) credited service earned by the member after the effective date of coverage under the Hybrid Plan (Plan Section 19B(17)(b)).

- For the DC Component (Plan Section 19B(12)):

Upon termination of membership, a vested former member or a beneficiary, as applicable, shall elect one or a combination of several of the following methods of distribution of the vested former member's or beneficiary's accumulated balance, to the extent allowed by federal law and subject to Plan Section 19B(11)(b) and procedures established by the Retirement Board:

1. Lump sum distribution to the vested former member or beneficiary.
2. Lump sum direct rollover to another eligible retirement plan, to the extent allowed by federal law.
3. Annuity for the life of the vested former member or beneficiary, or optional forms of annuity as determined by the Retirement Board.
4. No distribution, in which case the accumulated balance shall remain in the retirement system, to the extent allowed by federal law.
II. OPTIONAL PROVISION FOR CURRENT MERS DEFINED BENEFIT MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED (FOR TRANSFERS FROM MERS DEFINED CONTRIBUTION PROGRAM, SEE SECTION III)
(Plan Sec 19B(13)-(16))

THIS OPTIONAL SECTION SHALL ONLY BE SELECTED WHERE THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MEMBER BENEFIT PROGRAM CLASSIFICATION(S) (DIVISION(S)) SPECIFIED IN THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST EIGHTY PERCENT (80%).

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

(A) Effective on the Adoption Date, pursuant to Plan Section 19B(13):

all current MERS defined benefit members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(T4) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of ________________, 20__, (insert month and year) which shall be known as the "CONVERSION DATE."

The opportunity for current employees on the Adoption Date to participate in the Hybrid Program shall (select 1 of the following 2 choices):

- apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.
- not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.
(B) **CONTRIBUTIONS** shall be as provided in Section I (A) above.

(C) **COMPENSATION AND EARNINGS** shall be as provided in Section I (B) above.

(D) **HYBRID PLAN VESTING** shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(16), the Retirement Board shall transfer the following amounts from the reserve for employee contributions and the reserve for employer contributions and benefit payments to the reserve for defined contribution plan:

(a) The member's accumulated contributions, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred from the reserve for employee contributions to the member's credit in the reserve for Benefit Program H Defined Contribution component.

(b) The funded excess present value shall be computed as the excess, if any, of the actuarial present value of the accrued benefit associated with the member's coverage under the previous benefit program, over the actuarial present value of the accrued benefit associated with the member's coverage under the defined benefit component of Benefit Program H, after such excess is multiplied by the funded level percentage selected by the governing body in subparagraph (F)(2) below (which shall not be less than 80% nor exceed 100% funded level percentage in any case). The excess, if any, of the funded excess present value over the amount specified in sub-paragraph (a) shall be transferred from the reserve for employer contributions and benefit payments to the member's credit in the reserve for Benefit Program H Defined Contribution component. For purposes of this sub-paragraph:

(i) The actuarial present values shall be computed as of 12:01 a.m. on the day the member becomes covered by Benefit Program H and shall be based on the actuarial assumptions adopted by the Retirement Board.

(ii) On the effective date of the change of the benefit program the member's credited service under Benefit Program H shall be equal to the member's credited service under the previous benefit program.

(iii) In determining final average compensation there shall not be included any accrued annual leave.

(iv) The earliest retirement date (for an unreduced benefit) assumption under the defined benefit program in effect on the effective date of the change of the benefit program shall be utilized. Likewise the earliest retirement date assumption under Benefit Program H shall be utilized.

(v) For purposes of the actuarial present value calculation, any future benefit otherwise payable under Benefit Program E or E-1 shall be disregarded.

The transfer shall be made approximately 30 calendar days after the **Conversion Date**, and the transfer amount shall include pro-rated regular interest at the regular Board-established rate for crediting of interest on member's accumulated contributions in the defined benefit program, measured from the **Conversion Date** to the actual transfer date.
(F) Per Plan Section 19B(16)(b), the Retirement Board has established the assumptions for calculation of the actuarial present value of a member's accrued benefit that may be transferred. The assumptions are:

1. **The interest rate in effect as of the Adoption Date**, to determine actuarial present value, shall be the Board-established investment earnings rate assumption (currently eight percent (8.00%)).

2. **The funded level for the member's specific MERS division** (total funded percentage of the present value of accrued benefits which shall be determined using Termination Liability under Table 12 or successor table and valuation assets of all reserves using Table 13) as of the Adoption Date from the most recent MERS annual actuarial valuation report data provided by MERS actuary. In the APV calculation, the funded level used shall be (select one of the following):
   - Table 12 Termination Liability funded level for the division (not less than 80% nor to exceed 100% funded level).
   - If greater than the division's funded level but not more than 100% funded level, then MERS is directed to compute the funded percentage for the transfer calculation on ______% funded basis (insert number greater than the division's Table 12 Termination Liability funded level percentage but not more than 100%). Where less than 100% funded level exists, this governing body recognizes that such direction shall increase its pension funding liability. MERS shall not implement such direction unless the governing body forwards to MERS sufficient cash up to the funded level selected for all members prior to the **Conversion Date**; if sufficient cash is not forwarded, then the governing body expressly covenants with MERS and directs, as a condition of this selection, to MERS billing and the governing body remitting to MERS all contributions necessary to fund the unfunded liability occasioned by the aggregate transfer of the difference between the actual funded level for the division and funded level directed above over a period of four (4) years.

III. **TRANSFER OF CURRENT MERS DEFINED CONTRIBUTION PROGRAM MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED** Plan Sec 19B(13) – (15), (17)

**IT IS ADDITIONALLY RESOLVED**, as provided in each of the following paragraphs:

(A) Effective on the **Adoption Date**, pursuant to Plan Section 19B(13) all current MERS defined contribution members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee’s written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body’s authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.
Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of __________, 20__, (insert month and year), which shall be known as the “CONVERSION DATE.”

The opportunity for current employees on the Adoption Date to participate in the Hybrid Program shall (select 1 of the following 2 choices):

☐ apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.

☐ not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

(B) CONTRIBUTIONS shall be as provided in Section I (A) above.

(C) COMPENSATION AND EARNINGS shall be as provided in Section I (B) above.

(D) HYBRID PLAN VESTING shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(17), the following shall apply:

(a) The member's accumulated balance in the reserve for defined contribution plan under Benefit Program DC, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred to the member's credit in the reserve for defined contribution plan under Benefit Program H Defined Contribution component.

(b) For purposes of calculating benefit amounts under the defined benefit component of Benefit Program H, only credited service earned after 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be recognized.

IV. THIRD PARTY ADMINISTRATION

The Municipal Employees' Retirement Board retains full and unrestricted authority over the administration of MERS Benefit Program H, including but not limited to the appointment and termination of the third-party administrator, or MERS self-administration of the defined contribution program in whole or in part.
V. EFFECTIVENESS OF THIS RESOLUTION

BE IT FINALLY RESOLVED: This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under Plan Document Section 19B, this Resolution, and other applicable requirements have been met. All dates for implementation of Benefit Program H under Section 19B shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer’s Hybrid Program Plan Coordinator identified in Section IV (D) above.

In the event an amendatory Resolution or other action by this Governing Body is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the third-party administrator if necessary). Section 54 of the Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on ______________________, 20____ (Signature of authorized official)

Please send MERS fully executed copy of:
- MERS 2010 Restated Uniform Hybrid Program (Benefit Program H) Resolution (this form, MD-043)
- MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement (form MD-044)
- Certified minutes stating governing body approval, and/or union contract language

Received and Approved by the Municipal Employees’ Retirement System of Michigan

Dated: ______________________, 20____ (Authorized MERS signatory)
The Employer, a participating municipality or participating court ("court") within the State of Michigan that has adopted MERS coverage, hereby establishes the following MERS Benefit Program: **Hybrid under MERS Plan Document** ("MERS Hybrid DC") as authorized by Section 19B of the Municipal Employees' Retirement System of Michigan Plan Document. All references to "Plan Document" are to sections of the MERS Plan Document; any reference to "Plan," the "MERS Plan," "Plan Participant," "Participant," or "Program," shall mean the MERS Hybrid DC Plan, unless otherwise specified.

This Adoption Agreement, together with Section 19B of the MERS Plan Document and the MERS Restated Uniform Hybrid Resolution ("Resolution"), constitute the entire MERS Benefit Program Hybrid Plan Document.

I. **EMPLOYER:** County of Ingham

II. **EFFECTIVE DATE**

1. If this is the initial Adoption Agreement relating to the MERS Defined Contribution Plan for this Division, the Effective Date of the Benefit Program here adopted shall be the first day of: **January 2013**.

2. If this is an amendment and restatement of an existing adoption agreement relating to the MERS Hybrid DC Plan for this Division, the effective date of this amendment and restatement shall be the first day of: __________________________. This adoption agreement is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which was originally effective on the first day of: __________________________.

III. **ELIGIBILITY REQUIREMENTS**

Only those Employees eligible for MERS Membership (Section 3 of the MERS Plan Document) shall be eligible to participate in the MERS Hybrid DC Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following group(s) of Employees are eligible to participate in the Plan:

- **Board of Commissioners - Division 16**

Specify employee classification and division numbers
MERS Restated Hybrid Plan (Defined Contribution Component)
Adoption Agreement

IV. CONTRIBUTION PROVISIONS

1. The Employer shall contribute on behalf of each Participant ___% of Earnings or $___________ for the calendar year (subject to the limitations of Sections 415(c) of the Internal Revenue Code).

2. Each Participant is required to contribute ___% of Earnings for the calendar year as a condition of participation in the Plan. (Write "0" if no contribution is required.) If other contribution options are provided, please list on separate sheet of paper and attach to Adoption Agreement.

If Employee contributions are required, an Employee shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

The Employer hereby elects to "pick up" the Mandatory/Required Employee contribution. The "pick-up" provision allows the employer to direct mandatory employee contributions to be pre-tax.

☐ Yes ☐ No

[Note to Employer: Picked up contributions are excludable from the Employee's gross income under Section 414(h)(2) of the Internal Revenue Code of 1986 only if they meet the requirements of Rev. Rul. 2006-43, 2006-35 I.R.B. 329. Those requirements are (1) that the Employer must specify that the contributions, although designated as Employee contributions, are being paid by the Employer in lieu of contributions by the Employee; and (2) the Employee must not have the option of receiving the contributed amounts directly instead of having them paid by the Employer to the Plan. The execution of this Adoption Agreement by the Employer shall constitute the official action required by Revenue Ruling 2006-43.]

3. Each Employee may make a voluntary (unmatched), after-tax contribution, subject to the limitations of Section 415 of the Internal Revenue Code.

4. Employer contributions and Employee contributions shall be contributed to the Trust in accordance with the following payment schedule:

☐ Weekly ☐ Bi-weekly ☑ Monthly

V. EARNINGS

Earnings shall be defined as "compensation" under Section 2A(6) of the MERS Plan Document, being the Medicare taxable wages reported on the Employee's W-2 statement.
VI. VESTING PROVISION FOR EMPLOYER CONTRIBUTIONS AND NORMAL RETIREMENT AGE

The Employer hereby specifies the following vesting schedule (choose one):

- Immediate vesting upon participation
- Cliff vesting: The participant is 100% vested upon a stated number of years. Stated year may not exceed maximum 5 years of service:
  
  | Stated Year: | 1 | 2 | 3 | 4 | 5 |

- Graded vesting percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service, however the scale cannot exceed a maximum of six years of service to reach 100% vesting, nor less than the stated minimums below:

  - 100% after 1 year of service.
  - % after 2 years of service.
  - % (not less than 25%) after 3 years of service.
  - % (not less than 50%) after 4 years of service.
  - % (not less than 75%) after 5 years of service.
  - 100% (not less than 100%) after 6 years of service.

Notwithstanding the above, a member shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited, if he/she is employed on or after his/her Normal Retirement Age. "Normal Retirement Age" shall be presumed to be age 60 (unless a different normal retirement age is here specified: ).

In addition, notwithstanding the above, in the event of disability or death, a member or his/her beneficiary shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited as described in Section 19A(7) of the MERS Plan Document.

VII. Loans (not more than two) are permitted under the Program. MERS recommendation is "No," not to allow loans: loans permit your employees to borrow against their retirement account.

- Yes
- No

VIII. The Plan will accept an eligible rollover distribution from an eligible retirement plan described in Section 401(a) (including “401(k)”) or 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account or annuity described in Section 408(a) or 408(b) of the Code, including after-tax employee contributions, as applicable. The Plan will account separately for pre-tax and post-tax contributions and earnings thereon.
MERS Restated Hybrid Plan (Defined Contribution Component)
Adoption Agreement

IX. The Employer hereby agrees to the provisions of the MERS Uniform Defined Contribution Plan and agrees that in the event of any conflict between MERS Plan Document Section 19B and the MERS Hybrid Plan, the provisions of Section 19B shall control.

X. The Employer hereby appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan.

XI. The Employer hereby agrees to the provisions of the Plan.

XII. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in the ineligibility of the Plan in the DC component of the Hybrid Plan.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this _____ day of ____________, 20___.

Employer: ________________________________

Authorized Signature: ________________________________

Title: ________________________________

Witness: ________________________________
IV. Contribution Provision (page 2, Form MD-044)

1. Schedule of Employer Contributions (maximum cap of 2.5%)

<table>
<thead>
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<th>Employee Contribution</th>
<th>Employer Match</th>
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<tbody>
<tr>
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WHEREAS, under the Municipal Employees Retirement Act of 1984, section 36(2)(a); MCL 38.1536(2)(a); Plan Document Section 36(2)(a), provides the Retirement Board (effective August 15, 1996):

[shall determine and establish all of the provisions of the retirement system affecting benefit eligibility, benefit programs, contribution amounts, and the election of municipalities, judicial circuit courts, judicial district courts, and judicial probate courts to be governed by the provisions of the retirement system ... [and] to establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other post employment benefit programs (as amended by 2004 PA 490).]

WHEREAS, pursuant to the Board's powers, the MERS Plan Document of 1996 was adopted effective October 1, 1996, and the Plan has been amended periodically by the Board.

WHEREAS, the MERS Plan, an agent, multiple employer, public employee pension plan, has been determined by the Internal Revenue Service to be a governmental plan that is tax qualified as a trust under Code section 401(a) and exempt from taxation under section 501(a).

WHEREAS, on March 14, 2006, the Retirement Board has authorized establishment of a Hybrid Plan, with a defined benefit (DB) and defined contribution (DC) component.

WHEREAS, new Section 19B, Benefit Program H, and related plan amendments, create a new Hybrid Program that a participating municipality or court may adopt for MERS members to be administered in whole or in part under the discretion of the Municipal Employees' Retirement Board as trustee and fiduciary, directly by (or through a combination of) MERS or MERS duly-appointed third-party administrator for the DC component.

WHEREAS, this Uniform Hybrid Program Resolution has been approved by the Retirement Board under the authority of MCL 38.1536(2)(a); Plan section 36(2)(a) declaring that the Retirement Board "shall determine . . . and establish" all provisions of the retirement system. Under this authority, the Retirement Board authorized Section 19B, Benefit Program H, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution as provided under section 19B(2):

- In the event any alteration of any provision of this section 19B, or other sections of the Plan Document related to the provisions of Benefit Program H, is made or occurs, under section 43B of the Plan Document concerning collective bargaining or under any other plan provision or law, adoption of Benefit Program H shall not be recognized, other than in accordance with this section and other sections of the Plan Document related to the provisions of Benefit Program H.
- In the event any alteration of the terms or conditions stated in this Uniform Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have
WHEREAS, concurrent with this Resolution, and as a continuing obligation, this governing body has completed and approved, and submitted to MERS, documents necessary for adoption and implementation of MERS Benefit Program H.

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts MERS Benefit Program H (Hybrid Program) as provided below.

I. NEW EMPLOYEES (Plan Sec 19B(4) – (12))

Effective the first day of January ____________, 20 JJ, (to be known as the ADOPTION DATE), the County of Ingham hereby adopts Benefit Program H for Elected Officials - Division 19 (specify division numbers)

(MERS municipality/court)

first hired or rehired to the division at any time on and after the Adoption Date, and optional participation for any employee or officer of this municipality otherwise eligible to participate in MERS under Section 2B(3)(a) of the Plan Document who has previously elected to not participate in MERS. The employer shall establish the transfer rule for transferred employees in the Employer Resolution Establishing a Uniform Transfer Provision. ONLY THOSE EMPLOYEES ELIGIBLE FOR MERS MEMBERSHIP (SECTIONS 2B(3) AND 3 OF THE PLAN DOCUMENT) SHALL BE ELIGIBLE TO PARTICIPATE.

(A) HYBRID PLAN CONTRIBUTIONS

- The DB Component shall be exclusively funded by the employer, with no member contributions permitted.
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the MERS Uniform Hybrid DC Component Adoption Agreement (“Adoption Agreement,” Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.

(B) COMPENSATION AND EARNINGS

- For the DB Component, earnings shall include items of “Compensation” under Section 2A(6) of the MERS Plan Document, with the exception of the last sentence, which shall not apply.
- For the DC Component, earnings shall include items of “Compensation” under Section 2A(6) of the MERS Plan Document as provided for Benefit Program DC, which equals the Medicare taxable wages as reported by the employer on the member’s federal form W-2, wage and tax statement.
(C) HYBRID PLAN VESTING

- For the DB Component, 6 year vesting is mandatory (Plan Sec 19B(5)(b)).
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the Adoption Agreement (Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.
- As provided in Section 19B(3):
  Where a member has previously acquired in the employ of any participating municipality or participating court:
  (a) not less than 1 year of defined benefit service in force (including Hybrid Program) with any participating municipality or participating court;
  (b) eligible credited service where the participating municipality or participating court has adopted the Reciprocal Retirement Act, 1961 PA 88;
  (c) at least 12 months in which employer contributions by a participating municipality or participating court have been made on behalf of the member under Benefit Program DC; such service shall be applied toward satisfying the vesting schedule for the DB Component, and for the DC Component, for employer contributions.

(D) BENEFITS UNDER HYBRID PLAN

- For the DB component:
  (1) The Benefit Multiplier (Plan Section 19B(4)) initially selected shall be irrevocable, shall not later be changed.
  The multiplier shall be one of the following dependent upon the division’s social security coverage status:

<table>
<thead>
<tr>
<th>Social Security Coverage</th>
<th>No Social Security Coverage</th>
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<tbody>
<tr>
<td>☐ 1.00%</td>
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<tr>
<td>☒ 1.75%</td>
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<td>☒ 2.00%</td>
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</tr>
</tbody>
</table>

  (2) Final Average Compensation (FAC) shall be FAC-3 (Plan Section 19B(6)).
  (3) The Benefit shall be payable at age 60 (Plan Section 19B(5)(b)). The participating municipality or court may also allow retirement if the member or vested former member has attained age 55 years or older and has 25 or more years of credited service. Adoption of F55/25 shall be an irrevocable action and may not be subsequently changed.

☐ Check here to adopt F55/25
(4) Credited Service shall be comprised solely of the sum of (a) the total of the member’s credited service (if any) under the previous DB program on the effective date of coverage under the Hybrid Plan (Plan Section 19B(16)(b)(ii); see II (E)(b)(ii) below); plus (b) credited service earned by the member after the effective date of coverage under the Hybrid Plan (Plan Section 19B(17)(b)).

- For the DC Component (Plan Section 19B(12)):
  Upon termination of membership, a vested former member or a beneficiary, as applicable, shall elect one or a combination of several of the following methods of distribution of the vested former member’s or beneficiary’s accumulated balance, to the extent allowed by federal law and subject to Plan Section 19B(11)(b) and procedures established by the Retirement Board:
  
  1. Lump sum distribution to the vested former member or beneficiary.
  2. Lump sum direct rollover to another eligible retirement plan, to the extent allowed by federal law.
  3. Annuity for the life of the vested former member or beneficiary, or optional forms of annuity as determined by the Retirement Board.
  4. No distribution, in which case the accumulated balance shall remain in the retirement system, to the extent allowed by federal law.

STOP If covering new employees only, skip II and III and go to IV on page 8. STOP
II. OPTIONAL PROVISION FOR CURRENT MERS DEFINED BENEFIT MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED (FOR TRANSFERS FROM MERS DEFINED CONTRIBUTION PROGRAM, SEE SECTION III) (Plan Sec 19B(13)-(16))

THIS OPTIONAL SECTION SHALL ONLY BE SELECTED WHERE THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MEMBER BENEFIT PROGRAM CLASSIFICATION(S) (DIVISION(S)) SPECIFIED IN THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST EIGHTY PERCENT (80%).

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

(A) Effective on the Adoption Date, pursuant to Plan Section 19B(13):

all current MERS defined benefit members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of _________________, 20__, (insert month and year) which shall be known as the "CONVERSION DATE."

The opportunity for current employees on the Adoption Date to participate in the Hybrid Program shall (select 1 of the following 2 choices):

☐ apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.

☐ not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.
(B) CONTRIBUTIONS shall be as provided in Section I (A) above.

(C) COMPENSATION AND EARNINGS shall be as provided in Section I (B) above.

(D) HYBRID PLAN VESTING shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(16), the Retirement Board shall transfer the following amounts from the reserve for employee contributions and the reserve for employer contributions and benefit payments to the reserve for defined contribution plan:

(a) The member's accumulated contributions, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred from the reserve for employee contributions to the member's credit in the reserve for Benefit Program H Defined Contribution component.

(b) The funded excess present value shall be computed as the excess, if any, of the actuarial present value of the accrued benefit associated with the member's coverage under the previous benefit program, over the actuarial present value of the accrued benefit associated with the member's coverage under the defined benefit component of Benefit Program H, after such excess is multiplied by the funded level percentage selected by the governing body in subparagraph (F)(2) below (which shall not be less than 80% nor exceed 100% funded level percentage in any case). The excess, if any, of the funded excess present value over the amount specified in sub-paragraph (a) shall be transferred from the reserve for employer contributions and benefit payments to the member's credit in the reserve for Benefit Program H Defined Contribution component. For purposes of this sub-paragraph:

(i) The actuarial present values shall be computed as of 12:01 a.m. on the day the member becomes covered by Benefit Program H and shall be based on the actuarial assumptions adopted by the Retirement Board.

(ii) On the effective date of the change of the benefit program the member's credited service under Benefit Program H shall be equal to the member's credited service under the previous benefit program.

(iii) In determining final average compensation there shall not be included any accrued annual leave.

(iv) The earliest retirement date (for an unreduced benefit) assumption under the defined benefit program in effect on the effective date of the change of the benefit program shall be utilized. Likewise the earliest retirement date assumption under Benefit Program H shall be utilized.

(v) For purposes of the actuarial present value calculation, any future benefit otherwise payable under Benefit Program E or E-1 shall be disregarded.

The transfer shall be made approximately 30 calendar days after the Conversion Date, and the transfer amount shall include pro-rated regular interest at the regular Board-established rate for crediting of interest on member's accumulated contributions in the defined benefit program, measured from the Conversion Date to the actual transfer date.
(F) Per Plan Section 19B(16)(b), the Retirement Board has established the assumptions for calculation of the actuarial present value of a member's accrued benefit that may be transferred. The assumptions are:

1. The interest rate in effect as of the Adoption Date, to determine actuarial present value, shall be the Board-established investment earnings rate assumption (currently eight percent (8.00%)).

2. The funded level for the member's specific MERS division (total funded percentage of the present value of accrued benefits which shall be determined using Termination Liability under Table 12 or successor table and valuation assets of all reserves using Table 13) as of the Adoption Date from the most recent MERS annual actuarial valuation report data provided by MERS actuary. In the APV calculation, the funded level used shall be (select one of the following):
   - Table 12 Termination Liability funded level for the division (not less than 80% nor to exceed 100% funded level).
   - If greater than the division's funded level but not more than 100% funded level, then MERS is directed to compute the funded percentage for the transfer calculation on ___ % funded basis (insert number greater than the division's Table 12 Termination Liability funded level percentage but not more than 100%). Where less than 100% funded level exists, this governing body recognizes that such direction shall increase its pension funding liability. MERS shall not implement such direction unless the governing body forwards to MERS sufficient cash up to the funded level selected for all members prior to the Conversion Date; if sufficient cash is not forwarded, then the governing body expressly covenants with MERS and directs, as a condition of this selection, to MERS billing and the governing body remitting to MERS all contributions necessary to fund the unfunded liability occasioned by the aggregate transfer of the difference between the actual funded level for the division and funded level directed above over a period of four (4) years.

III. TRANSFER OF CURRENT MERS DEFINED CONTRIBUTION PROGRAM MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED

Plan Sec 19B(13) – (15), (17)

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

(A) Effective on the Adoption Date, pursuant to Plan Section 19B(13) all current MERS defined contribution members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.
Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of ________________, 20__, (insert month and year), which shall be known as the "CONVERSION DATE."

The opportunity for current employees on the Adoption Date to participate in the Hybrid Program shall (select 1 of the following 2 choices):

☐ apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.

☐ not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

(B) CONTRIBUTIONS shall be as provided in Section I (A) above.

(C) COMPENSATION AND EARNINGS shall be as provided in Section I (B) above.

(D) HYBRID PLAN VESTING shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(17), the following shall apply:

(a) The member's accumulated balance in the reserve for defined contribution plan under Benefit Program DC, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred to the member's credit in the reserve for defined contribution plan under Benefit Program H Defined Contribution component.

(b) For purposes of calculating benefit amounts under the defined benefit component of Benefit Program H, only credited service earned after 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be recognized.

IV. THIRD PARTY ADMINISTRATION

The Municipal Employees’ Retirement Board retains full and unrestricted authority over the administration of MERS Benefit Program H, including but not limited to the appointment and termination of the third-party administrator, or MERS self-administration of the defined contribution program in whole or in part.
V. EFFECTIVENESS OF THIS RESOLUTION

BE IT FINALLY RESOLVED: This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under Plan Document Section 19B, this Resolution, and other applicable requirements have been met. All dates for implementation of Benefit Program H under Section 19B shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer’s Hybrid Program Plan Coordinator identified in Section IV (D) above.

In the event an amendatory Resolution or other action by this Governing Body is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the third-party administrator if necessary). Section 54 of the Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on ________________, 20___ ____________________________ (Signature of authorized official)

Please send MERS fully executed copy of:
- MERS 2010 Restated Uniform Hybrid Program (Benefit Program H) Resolution (this form, MD-043)
- MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement (form MD-044)
- Certified minutes stating governing body approval, and/or union contract language

Received and Approved by the Municipal Employees’ Retirement System of Michigan

Dated: _________________, 20___ ____________________________ (Authorized MERS signatory)
The Employer, a participating municipality or participating court ("court") within the State of Michigan that has adopted MERS coverage, hereby establishes the following MERS Benefit Program: **Hybrid under MERS Plan Document ("MERS Hybrid DC")** as authorized by Section 19B of the Municipal Employees’ Retirement System of Michigan Plan Document. All references to “Plan Document” are to sections of the MERS Plan Document; any reference to “Plan,” the “MERS Plan,” “Plan Participant,” “Participant,” or “Program,” shall mean the MERS Hybrid DC Plan, unless otherwise specified.

This Adoption Agreement, together with Section 19B of the MERS Plan Document and the MERS Restated Uniform Hybrid Resolution ("Resolution"), constitute the entire MERS Benefit Program Hybrid Plan Document.

I. **EMPLOYER:** County of Ingham

II. **EFFECTIVE DATE**

1. If this is the initial Adoption Agreement relating to the MERS Defined Contribution Plan for this Division, the Effective Date of the Benefit Program here adopted shall be the first day of: January 2013.

2. If this is an amendment and restatement of an existing adoption agreement relating to the MERS Hybrid DC Plan for this Division, the effective date of this amendment and restatement shall be the first day of: ______________. This adoption agreement is intended to replace and serve as an amendment and restatement of the Employer’s preexisting plan, which was originally effective on the first day of: ______________.

III. **ELIGIBILITY REQUIREMENTS**

Only those Employees eligible for MERS Membership (Section 3 of the MERS Plan Document) shall be eligible to participate in the MERS Hybrid DC Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following group(s) of Employees are eligible to participate in the Plan:

Specify employee classification and division numbers
MERS Restated Hybrid Plan (Defined Contribution Component)
Adoption Agreement

IV. CONTRIBUTION PROVISIONS

1. The Employer shall contribute on behalf of each Participant ___% of Earnings or $
   (subject to the limitations of Sections 415(c) of the Internal Revenue Code).

2. Each Participant is required to contribute ___% of Earnings for the calendar year as a condition of participation in the Plan. (Write "0" if no contribution is required.) If other contribution options are provided, please list on separate sheet of paper and attach to Adoption Agreement.

   If Employee contributions are required, an Employee shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

   The Employer hereby elects to "pick up" the Mandatory/Required Employee contribution. The "pick-up" provision allows the employer to direct mandatory employee contributions to be pre-tax.

   □ Yes   □ No

[Note to Employer: Picked up contributions are excludable from the Employee’s gross income under Section 414(h)(2) of the Internal Revenue Code of 1986 only if they meet the requirements of Rev. Rul. 2006-43, 2006-35 I.R.B. 329. Those requirements are (1) that the Employer must specify that the contributions, although designated as Employee contributions, are being paid by the Employer in lieu of contributions by the Employee; and (2) the Employee must not have the option of receiving the contributed amounts directly instead of having them paid by the Employer to the Plan. The execution of this Adoption Agreement by the Employer shall constitute the official action required by Revenue Ruling 2006-43.]

3. Each Employee may make a voluntary (unmatched), after-tax contribution, subject to the limitations of Section 415 of the Internal Revenue Code.

4. Employer contributions and Employee contributions shall be contributed to the Trust in accordance with the following payment schedule:
   □ Weekly   □ Bi-weekly   □ Monthly

V. EARNINGS

Earnings shall be defined as “compensation” under Section 2A(6) of the MERS Plan Document, being the Medicare taxable wages reported on the Employee’s W-2 statement.
VI. VESTING PROVISION FOR EMPLOYER CONTRIBUTIONS AND NORMAL RETIREMENT AGE

The Employer hereby specifies the following vesting schedule (choose one):

☐ Immediate vesting upon participation
☐ Cliff vesting: The participant is 100% vested upon a stated number of years. Stated year may not exceed maximum 5 years of service:

Stated Year:  ☐ 1  ☐ 2  ☐ 3  ☐ 4  ☐ 5

☐ Graded vesting percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service, however the scale cannot exceed a maximum of six years of service to reach 100% vesting, nor less than the stated minimums below:

  % after 1 year of service.
  % after 2 years of service.
  % (not less than 25%) after 3 years of service.
  % (not less than 50%) after 4 years of service.
  % (not less than 75%) after 5 years of service.
  100% (not less than 100%) after 6 years of service.

Notwithstanding the above, a member shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited, if he/she is employed on or after his/her Normal Retirement Age. “Normal Retirement Age” shall be presumed to be age 60 (unless a different normal retirement age is here specified:______).

In addition, notwithstanding the above, in the event of disability or death, a member or his/her beneficiary shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited as described in Section 19A(7) of the MERS Plan Document.

VII. Loans (not more than two) are permitted under the Program. MERS recommendation is “No,” not to allow loans: loans permit your employees to borrow against their retirement account.

☐ Yes  ☐ No

VIII. The Plan will accept an eligible rollover distribution from an eligible retirement plan described in Section 401(a) (including “401(k)”) or 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account or annuity described in Section 408(a) or 408(b) of the Code, including after-tax employee contributions, as applicable. The Plan will account separately for pre-tax and post-tax contributions and earnings thereon.
MERS Restated Hybrid Plan (Defined Contribution Component)
Adoption Agreement

IX. The Employer hereby agrees to the provisions of the MERS Uniform Defined Contribution Plan and agrees that in the event of any conflict between MERS Plan Document Section 19B and the MERS Hybrid Plan, the provisions of Section 19B shall control.

X. The Employer hereby appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan.

XI. The Employer hereby agrees to the provisions of the Plan.

XII. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in the ineligibility of the Plan in the DC component of the Hybrid Plan.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this _______ day of ______________, 20__.  

Employer: 

____________________________________

Authorized Signature: ___________________________

Title: 

____________________________________

Witness: 

____________________________________
MERS Restated Hybrid Plan (Defined Contribution Component)
Adoption Agreement

IV. Contribution Provision (page 2, Form MD-044)

1. Schedule of Employer Contributions (maximum cap of 2.5%)

<table>
<thead>
<tr>
<th>Employee Contribution</th>
<th>Employer Match</th>
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Agenda Item 5c

Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION APPROVING MODIFICATIONS TO THE
2012 MANAGERIAL AND CONFIDENTIAL PERSONNEL MANUAL

WHEREAS, the Managerial/Confidential/Elected Officials Steering Committee solicited input from managerial and confidential employees regarding benefit and salary changes to the Managerial/Confidential Personnel Manual; and

WHEREAS, after careful consideration, the Steering Committee recommended changes for the 2012 Managerial/Confidential Personnel Manual.

THEREFORE BE IT RESOLVED, the Ingham Board of Commissioners approves the following recommendations, as proposed by the Managerial/Confidential/Elected Officials Steering Committee, to the 2012 Managerial and Confidential Employee Personnel Manual as follows:

1. Change in language under Purpose and Intent: It is the intent of the Board of Commissioners that this Manual will be amended to equivalently match changes negotiated in collective bargaining agreements, including recognition of the earlier implementation of the 1.8% increase in employee’s pension contribution.

2. Change in employee contribution toward retirement: Employees hired prior to the effective date of this manual shall contribute an additional 1.8% of gross wages to the employee retirement, increasing the total contribution for Managerial employees to 8.19% and Confidential employees to 7.16%.

3. Add new retirement plan: Employees hired on or after the effective date of this manual will be covered by the Municipal Employees’ Retirement System’s Hybrid Plan - consisting of a Defined Benefit (DB) component with a 1.0% Benefit Multiplier and a Defined Contribution (DC) component with an employer match of the Employee’s contribution in an amount up to 2.5% of the employee’s payroll.

4. Change in the language under Compensation Plan: 2. Step increases will be subject only to the approval of the immediate supervisor with the exception of those positions reporting directly to the Board of Commissioners or Judges. Those positions include but may not be limited to the Health Officer, Animal Control Director, Veterans Affairs Director, Friend of the Court, Circuit Court Administrator, District Court Administrator and Magistrate, Probate Court Administrator, and the Controller, and must be approved by the appropriate presiding Judge or liaison committee Chairperson of the Board of Commissioners.

5. Change in the language under Compensation Plan: 7. Upon justification by the department and approval of the Human Resources Director, a new employee may be started at step 2. At the discretion of the Ingham County Health Department and with the approval of the Human Resources Director, Primary Care Physicians and Dentists may be started at step 5 based on applicable experience.

6. Employees hired after the effective date of this manual are not eligible to receive longevity bonus.

7. Decrease sick time accruals for employees hired on or after the effective date of this manual as follows: Each full-time employee hired on or after the effective date of this manual shall earn 3.69 hours per pay period. Three quarter-time and part-time employees shall earn 75% and 50% of that amount, respectively.
8. Change the donation of sick time to read: A total of 16 sick hours may be donated by an employee under this manual in any department, irrespective of the employee group affiliation or bargaining unit membership.

9. Change to Section J (2) regarding if the request for donated sick time is approved by the County Services Committee under the 6 step procedure outlined in the manual and that the Sick Leave Donation Policy may be terminated by County Services Committee, in its discretion, after the expiration of this manual: New language - Any decision by the County Services Committee shall not be subject to the Complaint Procedure.

10. Change in Retiree Health Insurance: Employee hired on or after the effective date of the manual shall not be eligible for single retiree health insurance coverage until after they reach 60 years of age, subject to the scale based on years of service. Retirees that purchase dental and vision insurance at group rates and subsequently choose to discontinue the coverage, may not re-enroll.

11. Change in vacation leave earned: New employees hired on or after the effective date of this manual shall be subject to the reduced accrual of vacation based on years of service.

12. Change in Other Specific Managerial Benefits (Appendix A): Elimination of dry cleaning and laundering allowance and elimination of clothing reimbursement. Addition of “on-call” language: In accordance with Ingham County Board of Commissioners Resolution #03-042, physicians employed by the County under the Managerial and Confidential Employee Personnel Manual shall participate in “on-call” coverage and shall be paid an “on-call” bonus. The “on-call” bonus shall be paid on quarterly.

13. Provide salary increases as follows: There will be no change in the compensation levels reflected in Appendix D for the duration of this manual.

BE IT FURTHER RESOLVED, that the Managerial and Confidential Employee Personnel Manual will be effective the date of adoption of this resolution and shall expire on December 31, 2012.
Agenda Item 5d

Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF MERS HYBRID PLANS FOR MANAGERIAL AND CONFIDENTIAL EMPLOYEES

WHEREAS, the County Board of Commissioners has recognized the escalating cost of the current MERS Defined Benefit Plan; and

WHEREAS, the County Board of Commissioners have discussed changes in the MERS pension plans to be provided to Managerial and Confidential Employees hired on or after June 26, 2012; and

WHEREAS, the Human Resources Department has discussed with MERS the establishment of Hybrid Plan for new hires in General Management - division 10 and Confidential - division 01 and prepared the attached MERS mandated resolution forms.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the attached resolutions establishing the MERS Hybrid Pension Plan for Managerial and Confidential Employees hired on or after June 26, 2012.

BE IT FURTHER RESOLVED that Mary Lannoye, County Controller is authorized on behalf of the County’s retirement system to sign and execute all documents to effectuate and finalize this transaction, subject to prior approval as to form, by legal counsel.
WHEREAS, under the Municipal Employees Retirement Act of 1984, section 36(2)(a); MCL 38.1536(2)(a); Plan Document Section 36(2)(a), provides the Retirement Board (effective August 15, 1996):

[s]hall determine and establish all of the provisions of the retirement system affecting benefit eligibility, benefit programs, contribution amounts, and the election of municipalities, judicial circuit courts, judicial district courts, and judicial probate courts to be governed by the provisions of the retirement system ... [and] to establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other post employment benefit programs (as amended by 2004 PA 490).

WHEREAS, pursuant to the Board's powers, the MERS Plan Document of 1996 was adopted effective October 1, 1996, and the Plan has been amended periodically by the Board.

WHEREAS, the MERS Plan, an agent, multiple employer, public employee pension plan, has been determined by the Internal Revenue Service to be a governmental plan that is tax qualified as a trust under Code section 401(a) and exempt from taxation under section 501(a).

WHEREAS, on March 14, 2006, the Retirement Board has authorized establishment of a Hybrid Plan, with a defined benefit (DB) and defined contribution (DC) component.

WHEREAS, new Section 19B, Benefit Program H, and related plan amendments, create a new Hybrid Program that a participating municipality or court may adopt for MERS members to be administered in whole or in part under the discretion of the Municipal Employees' Retirement Board as trustee and fiduciary, directly by (or through a combination of) MERS or MERS duly-appointed third-party administrator for the DC component.

WHEREAS, this Uniform Hybrid Program Resolution has been approved by the Retirement Board under the authority of MCL 38.1536(2)(a); Plan section 36(2)(a) declaring that the Retirement Board "shall determine ... and establish" all provisions of the retirement system. Under this authority, the Retirement Board authorized Section 19B, Benefit Program H, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution as provided under section 19B(2):

- In the event any alteration of any provision of this section 19B, or other sections of the Plan Document related to the provisions of Benefit Program H, is made or occurs, under section 43B of the Plan Document concerning collective bargaining or under any other plan provision or law, adoption of Benefit Program H shall not be recognized, other than in accordance with this section and other sections of the Plan Document related to the provisions of Benefit Program H.
- In the event any alteration of the terms or conditions stated in this Uniform Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have
WHEREAS, concurrent with this Resolution, and as a continuing obligation, this governing body has completed and approved, and submitted to MERS, documents necessary for adoption and implementation of MERS Benefit Program H.

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts MERS Benefit Program H (Hybrid Program) as provided below.

I.  NEW EMPLOYEES (Plan Sec 19B(4) – (12))

Effective the first day of _________________, 20___, (to be known as the ADOPTION DATE), the County of Ingham _________________ hereby adopts Benefit Program H for

(MERS municipality/court)
General Management - Division 10 and Confidential - Division 01

(specify division numbers)

(ONLY THOSE EMPLOYEES ELIGIBLE FOR MERS MEMBERSHIP (SECTIONS 2B(3) AND 3 OF THE PLAN DOCUMENT) SHALL BE ELIGIBLE TO PARTICIPATE.)

(A) HYBRID PLAN CONTRIBUTIONS

• The DB Component shall be exclusively funded by the employer, with no member contributions permitted.

• For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the MERS Uniform Hybrid DC Component Adoption Agreement (“Adoption Agreement,” Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.

(B) COMPENSATION AND EARNINGS

• For the DB Component, earnings shall include items of “Compensation” under Section 2A(6) of the MERS Plan Document, with the exception of the last sentence, which shall not apply.

• For the DC Component, earnings shall include items of “Compensation” under Section 2A(6) of the MERS Plan Document as provided for Benefit Program DC, which equals the Medicare taxable wages as reported by the employer on the member’s federal form W-2, wage and tax statement.
(C) HYBRID PLAN VESTING

- For the DB Component, 6 year vesting is mandatory (Plan Sec 19B(5)(b)).
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the Adoption Agreement (Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.
- As provided in Section 19B(3):
  Where a member has previously acquired in the employ of any participating municipality or participating court:
  (a) not less than 1 year of defined benefit service in force (including Hybrid Program) with any participating municipality or participating court;
  (b) eligible credited service where the participating municipality or participating court has adopted the Reciprocal Retirement Act, 1961 PA 88;
  (c) at least 12 months in which employer contributions by a participating municipality or participating court have been made on behalf of the member under Benefit Program DC; such service shall be applied toward satisfying the vesting schedule for the DB Component, and for the DC Component, for employer contributions.

(D) BENEFITS UNDER HYBRID PLAN

- For the DB component:
  (1) The Benefit Multiplier (Plan Section 19B(4)) initially selected shall be irrevocable, shall not later be changed.
  The multiplier shall be one of the following dependent upon the division’s social security coverage status:

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<th>No Social Security Coverage</th>
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<tbody>
<tr>
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(2) Final Average Compensation (FAC) shall be FAC-3 (Plan Section 19B(6)).
(3) The Benefit shall be payable at age 60 (Plan Section 19B(5)(b)). The participating municipality or court may also allow retirement if the member or vested former member has attained age 55 years or older and has 25 or more years of credited service. Adoption of F55/25 shall be an irrevocable action and may not be subsequently changed.

☐ Check here to adopt F55/25
(4) Credited Service shall be comprised solely of the sum of (a) the total of the member’s credited service (if any) under the previous DB program on the effective date of coverage under the Hybrid Plan (Plan Section 19B(16)(b)(ii); see II (E)(b)(ii) below); plus (b) credited service earned by the member after the effective date of coverage under the Hybrid Plan (Plan Section 19B(17)(b)).

- For the DC Component (Plan Section 19B(12)):
  Upon termination of membership, a vested former member or a beneficiary, as applicable, shall elect one or a combination of several of the following methods of distribution of the vested former member’s or beneficiary’s accumulated balance, to the extent allowed by federal law and subject to Plan Section 19B(11)(b) and procedures established by the Retirement Board:
  (1) Lump sum distribution to the vested former member or beneficiary.
  (2) Lump sum direct rollover to another eligible retirement plan, to the extent allowed by federal law.
  (3) Annuity for the life of the vested former member or beneficiary, or optional forms of annuity as determined by the Retirement Board.
  (4) No distribution, in which case the accumulated balance shall remain in the retirement system, to the extent allowed by federal law.
II. OPTIONAL PROVISION FOR CURRENT MERS DEFINED BENEFIT MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED (FOR TRANSFERS FROM MERS DEFINED CONTRIBUTION PROGRAM, SEE SECTION III)
(Plan Sec 19B(13)-(16))

THIS OPTIONAL SECTION SHALL ONLY BE SELECTED WHERE THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MEMBER BENEFIT PROGRAM CLASSIFICATION(S) (DIVISION(S)) SPECIFIED IN THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST EIGHTY PERCENT (80%).

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

(A) Effective on the Adoption Date, pursuant to Plan Section 19B(13):

all current MERS defined benefit members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee’s written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body’s authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS’ receipt of the Resolution, here designated as being the month of _________, 20____, (insert month and year) which shall be known as the “CONVERSION DATE.”

The opportunity for current employees on the Adoption Date to participate in the Hybrid Program shall (select 1 of the following 2 choices):

☐ apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.

☐ not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.
(B) CONTRIBUTIONS shall be as provided in Section I (A) above.

(C) COMPENSATION AND EARNINGS shall be as provided in Section I (B) above.

(D) HYBRID PLAN VESTING shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(16), the Retirement Board shall transfer the following amounts from the reserve for employee contributions and the reserve for employer contributions and benefit payments to the reserve for defined contribution plan:

(a) The member's accumulated contributions, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred from the reserve for employee contributions to the member's credit in the reserve for Benefit Program H Defined Contribution component.

(b) The funded excess present value shall be computed as the excess, if any, of the actuarial present value of the accrued benefit associated with the member's coverage under the previous benefit program, over the actuarial present value of the accrued benefit associated with the member's coverage under the defined benefit component of Benefit Program H, after such excess is multiplied by the funded level percentage selected by the governing body in subparagraph(F)(2) below (which shall not be less than 80% nor exceed 100% funded level percentage in any case). The excess, if any, of the funded excess present value over the amount specified in sub-paragraph (a) shall be transferred from the reserve for employer contributions and benefit payments to the member's credit in the reserve for Benefit Program H Defined Contribution component. For purposes of this sub-paragraph:

(i) The actuarial present values shall be computed as of 12:01 a.m. on the day the member becomes covered by Benefit Program H and shall be based on the actuarial assumptions adopted by the Retirement Board.

(ii) On the effective date of the change of the benefit program the member's credited service under Benefit Program H shall be equal to the member's credited service under the previous benefit program.

(iii) In determining final average compensation there shall not be included any accrued annual leave.

(iv) The earliest retirement date (for an unreduced benefit) assumption under the defined benefit program in effect on the effective date of the change of the benefit program shall be utilized. Likewise the earliest retirement date assumption under Benefit Program H shall be utilized.

(v) For purposes of the actuarial present value calculation, any future benefit otherwise payable under Benefit Program E or E-1 shall be disregarded.

The transfer shall be made approximately 30 calendar days after the Conversion Date, and the transfer amount shall include pro-rated regular interest at the regular Board-established rate for crediting of interest on member's accumulated contributions in the defined benefit program, measured from the Conversion Date to the actual transfer date.
Per Plan Section 19B(16)(b), the Retirement Board has established the assumptions for calculation of the actuarial present value of a member's accrued benefit that may be transferred. The assumptions are:

1. The interest rate in effect as of the Adoption Date, to determine actuarial present value, shall be the Board-established investment earnings rate assumption (currently eight percent (8.00%)).

2. The funded level for the member's specific MERS division (total funded percentage of the present value of accrued benefits which shall be determined using Termination Liability under Table 12 or successor table and valuation assets of all reserves using Table 13) as of the Adoption Date from the most recent MERS annual actuarial valuation report data provided by MERS actuary. In the APV calculation, the funded level used shall be (select one of the following):
   - Table 12 Termination Liability funded level for the division (not less than 80% nor to exceed 100% funded level).
   - If greater than the division's funded level but not more than 100% funded level, then MERS is directed to compute the funded percentage for the transfer calculation on _______% funded basis (insert number greater than the division's Table 12 Termination Liability funded level percentage but not more than 100%). Where less than 100% funded level exists, this governing body recognizes that such direction shall increase its pension funding liability. MERS shall not implement such direction unless the governing body forwards to MERS sufficient cash up to the funded level selected for all members prior to the Conversion Date; if sufficient cash is not forwarded, then the governing body expressly covenants with MERS and directs, as a condition of this selection, to MERS billing and the governing body remitting to MERS all contributions necessary to fund the unfunded liability occasioned by the aggregate transfer of the difference between the actual funded level for the division and funded level directed above over a period of four (4) years.

III. TRANSFER OF CURRENT MERS DEFINED CONTRIBUTION PROGRAM MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED: Plan Sec 19B(13) – (15), (17)

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

(A) Effective on the Adoption Date, pursuant to Plan Section 19B(13) all current MERS defined contribution members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.
Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of ____________, 20__, (insert month and year), which shall be known as the "CONVERSION DATE."

The opportunity for current employees on the Adoption Date to participate in the Hybrid Program shall (select 1 of the following 2 choices):

☐ apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.

☐ not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

(B) CONTRIBUTIONS shall be as provided in Section I (A) above.

(C) COMPENSATION AND EARNINGS shall be as provided in Section I (B) above.

(D) HYBRID PLAN VESTING shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(17), the following shall apply:

(a) The member's accumulated balance in the reserve for defined contribution plan under Benefit Program DC, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred to the member's credit in the reserve for defined contribution plan under Benefit Program H Defined Contribution component.

(b) For purposes of calculating benefit amounts under the defined benefit component of Benefit Program H, only credited service earned after 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be recognized.

IV. THIRD PARTY ADMINISTRATION

The Municipal Employees' Retirement Board retains full and unrestricted authority over the administration of MERS Benefit Program H, including but not limited to the appointment and termination of the third-party administrator, or MERS self-administration of the defined contribution program in whole or in part.
V. EFFECTIVENESS OF THIS RESOLUTION

BE IT FINALLY RESOLVED: This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under Plan Document Section 19B, this Resolution, and other applicable requirements have been met. All dates for implementation of Benefit Program H under Section 19B shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer's Hybrid Program Plan Coordinator identified in Section IV (D) above.

In the event an amendatory Resolution or other action by this Governing Body is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the third-party administrator if necessary). Section 54 of the Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on ______________________, 20___.

(Signature of authorized official)

Please send MERS fully executed copy of:
- MERS 2010 Restated Uniform Hybrid Program (Benefit Program H) Resolution (this form, MD-043)
- MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement (form MD-044)
- Declaration of Trust and certified minutes stating governing body approval, and/or union contract language

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: ______________________, 20___

(Authorized MERS signatory)
The Employer, a participating municipality or participating court ("court") within the State of Michigan that has adopted MERS coverage, hereby establishes the following MERS Benefit Program: **Hybrid under MERS Plan Document** ("MERS Hybrid DC") as authorized by Section 19B of the Municipal Employees' Retirement System of Michigan Plan Document. All references to "Plan Document" are to sections of the MERS Plan Document; any reference to "Plan," the "MERS Plan," "Plan Participant," "Participant," or "Program," shall mean the MERS Hybrid DC Plan, unless otherwise specified.

This Adoption Agreement, together with Section 19B of the MERS Plan Document and the MERS Restated Uniform Hybrid Resolution ("Resolution"), constitute the entire MERS Benefit Program Hybrid Plan Document.

I. **EMPLOYER:** County of Ingham  
   Name of municipality or court

II. **EFFECTIVE DATE**

   1. If this is the initial Adoption Agreement relating to the MERS Defined Contribution Plan for this Division, the Effective Date of the Benefit Program here adopted shall be the first day of:  
      ________________  Month and Year  

   2. If this is an amendment and restatement of an existing adoption agreement relating to the MERS Hybrid DC Plan for this Division, the effective date of this amendment and restatement shall be the first day of: ________________. This adoption agreement is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which was originally effective on the first day of: ________________  Month and Year

III. **ELIGIBILITY REQUIREMENTS**

   Only those Employees eligible for MERS Membership (Section 3 of the MERS Plan Document) shall be eligible to participate in the MERS Hybrid DC Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following group(s) of Employees are eligible to participate in the Plan:

   - General Management - division 10
   - Confidential - division 01

   Specify employee classification and division numbers
MERS Restated Hybrid Plan (Defined Contribution Component)
Adoption Agreement

IV. CONTRIBUTION PROVISIONS

1. The Employer shall contribute on behalf of each Participant __% of Earnings or $________, for the calendar year (subject to the limitations of Sections 415(c) of the Internal Revenue Code).

2. Each Participant is required to contribute __% of Earnings for the calendar year as a condition of participation in the Plan. (Write "0" if no contribution is required.) If other contribution options are provided, please list on separate sheet of paper and attach to Adoption Agreement.

If Employee contributions are required, an Employee shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

The Employer hereby elects to “pick up” the Mandatory/Required Employee contribution. The “pick-up” provision allows the employer to direct mandatory employee contributions to be pre-tax.

☐ Yes ☐ No

[Note to Employer: Picked up contributions are excludable from the Employee's gross income under Section 414(h)(2) of the Internal Revenue Code of 1986 only if they meet the requirements of Rev. Rul. 2006-43, 2006-35 I.R.B. 329. Those requirements are (1) that the Employer must specify that the contributions, although designated as Employee contributions, are being paid by the Employer in lieu of contributions by the Employee; and (2) the Employee must not have the option of receiving the contributed amounts directly instead of having them paid by the Employer to the Plan. The execution of this Adoption Agreement by the Employer shall constitute the official action required by Revenue Ruling 2006-43.]

3. Each Employee may make a voluntary (unmatched), after-tax contribution, subject to the limitations of Section 415 of the Internal Revenue Code.

4. Employer contributions and Employee contributions shall be contributed to the Trust in accordance with the following payment schedule:

☐ Weekly ☐ Bi-weekly ☐ Monthly

V. EARNINGS

Earnings shall be defined as “compensation” under Section 2A(6) of the MERS Plan Document, being the Medicare taxable wages reported on the Employee's W-2 statement.
VI. VESTING PROVISION FOR EMPLOYER CONTRIBUTIONS AND NORMAL RETIREMENT AGE

The Employer hereby specifies the following vesting schedule (choose one):

- Immediate vesting upon participation
- **Cliff vesting**: The participant is 100% vested upon a stated number of years. Stated year may not exceed maximum 5 years of service:
  - Stated Year: □ 1 □ 2 □ 3 □ 4 □ 5
- Graded vesting percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service, however the scale cannot exceed a maximum of six years of service to reach 100% vesting, nor less than the stated minimums below:
  - ___ % after 1 year of service.
  - ___ % after 2 years of service.
  - ___ % (not less than 25%) after 3 years of service.
  - ___ % (not less than 50%) after 4 years of service.
  - ___ % (not less than 75%) after 5 years of service.
  - 100 % (not less than 100%) after 6 years of service.

Notwithstanding the above, a member shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited, if he/she is employed on or after his/her Normal Retirement Age. “Normal Retirement Age” shall be presumed to be age 60 (unless a different normal retirement age is here specified:______).

In addition, notwithstanding the above, in the event of disability or death, a member or his/her beneficiary shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited as described in Section 19A(7) of the MERS Plan Document.

VII. Loans (not more than two) are permitted under the Program. MERS recommendation is “No,” not to allow loans: loans permit your employees to borrow against their retirement account.

- □ Yes
- □ No

VIII. The Plan will accept an eligible rollover distribution from an eligible retirement plan described in Section 401(a) (including “401(k)”) or 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account or annuity described in Section 408(a) or 408(b) of the Code, including after-tax employee contributions, as applicable. The Plan will account separately for pre-tax and post-tax contributions and earnings thereon.
IX. The Employer hereby agrees to the provisions of the MERS Uniform Defined Contribution Plan and agrees that in the event of any conflict between MERS Plan Document Section 19B and the MERS Hybrid Plan, the provisions of Section 19B shall control.

X. The Employer hereby appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan.

XI. The Employer hereby agrees to the provisions of the Plan.

XII. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in the ineligibility of the Plan in the DC component of the Hybrid Plan.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this ______ day of ____________, 20____.

Employer: __________________________________________

Authorized Signature: __________________________________________

Title: __________________________________________

Witness: __________________________________________
MERS Restated Hybrid Plan (Defined Contribution Component)
Adoption Agreement

IV. Contribution Provision (page 2, Form MD-044)

1. Schedule of Employer Contributions (maximum cap of 2.5%)

<table>
<thead>
<tr>
<th>Employee Contribution</th>
<th>Employer Match</th>
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<tbody>
<tr>
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</tr>
<tr>
<td>1.5%</td>
<td>1.5%</td>
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<tr>
<td>2.5%</td>
<td>2.5%</td>
</tr>
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</table>
Introduced by the County Services Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO APPROVE THE SPECIAL AND ROUTINE PERMITS FOR THE INGHAM COUNTY DEPARTMENT OF TRANSPORTATION AND ROADS

WHEREAS, the Ingham County Road Commission periodically approved Special and Routine permits as part of their roles and responsibilities; and

WHEREAS, this will now be the responsibility of the Board of Commissioners to approve these permits as necessary.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners approves the attached list of Special and Routine Permits dated September 6, 2012 as submitted.
<table>
<thead>
<tr>
<th>Permit Date</th>
<th>Issuing Authority</th>
<th>Event Type</th>
<th>Details</th>
<th>Townships and Cities</th>
<th>Number</th>
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</thead>
<tbody>
<tr>
<td>2012-0305</td>
<td>Delhi Charter Township</td>
<td>Road Closure / Special Event</td>
<td>Aurelius Rd Bet Holt Rd and Cedar St</td>
<td>Delhi</td>
<td>23</td>
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<tr>
<td>2012-0304</td>
<td>Consumers Energy</td>
<td>Gas</td>
<td>Main St Bet Clare St and Waverly Rd</td>
<td>Lansing</td>
<td>19</td>
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<tr>
<td>2012-0307</td>
<td>Consumers Energy</td>
<td>Gas</td>
<td>Sherwood Rd Bet Zimmer Rd and Barton Rd</td>
<td>Williamstown</td>
<td>27</td>
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<tr>
<td>2012-0311</td>
<td>Delhi Charter Township</td>
<td>Special Event</td>
<td>Various</td>
<td>Delhi</td>
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<tr>
<td>2012-0312</td>
<td>WideOpenWest</td>
<td>Cable / Ug</td>
<td>Epley Rd Bet Zimmer Rd and Lounsbury Rd</td>
<td>Williamstown</td>
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<td>2012-0313</td>
<td>Michigan Chloride</td>
<td>Miscellaneous</td>
<td>Service Rd Bet Rolfe Rd and Tomlinson Rd</td>
<td>Vevay</td>
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<tr>
<td>2012-0316</td>
<td>Ingham Co Parks Dept</td>
<td>Miscellaneous</td>
<td>Various</td>
<td>Meridian</td>
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<tr>
<td>2012-0317</td>
<td>Consumers Energy</td>
<td>Gas</td>
<td>Robins Way and Loon Lane</td>
<td>Meridian</td>
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<td>2012-0319</td>
<td>DTE</td>
<td>Cable / Ug</td>
<td>Cooper Rd &amp; Deitz Rd</td>
<td>White Oak</td>
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<td>2012-0321</td>
<td>Delhi Charter Township</td>
<td>Manhole Replacement</td>
<td>Various</td>
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<td>2012-0322</td>
<td>Arcadis U.S. Inc</td>
<td>Soil Boring</td>
<td>Rosemary Ave Bet Ionia St and Genesee St</td>
<td>Lansing</td>
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<td>2012-0323</td>
<td>Delhi Charter Township</td>
<td>Sanitary</td>
<td>Adelpha Ave Bet Holt Rd and Grove St</td>
<td>Delhi</td>
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</table>

PERMIT SUPERVISOR: ______________________________ MANAGING DIRECTOR: ______________________________
WHEREAS, on January 21, 2010, with its ruling in Citizens United v. Federal Election Commission, the Supreme Court ruled that corporations are persons, entitled by the U.S. Constitution to contribute to elections; and

WHEREAS, the Move to Amend Campaign is a movement comprised of citizens of the United States who reject the U.S. Supreme Court's ruling in Citizens United, and want to amend the Constitution to firmly establish that human beings, not corporations, are persons entitled to constitutional rights; and

WHEREAS, the Move to Amend Campaign believes that the Supreme Court is misguided in principle and wrong on the law, and Corporations are not legal persons and should be subject to regulation by Congress and the States; and

WHEREAS, the Move to Amend Campaign believes that money is not a form of speech protected under the first amendment of the United States Constitution and can be regulated by Congress and the States.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners supports the Move to Amend Campaign and communities across the country to defend democracy from the corrupting influences of undue corporate power through campaign contributions by calling on State and Federal representatives to amend the United States Constitution to establish that.

BE IT FURTHER RESOLVED, that the Board requests that Ingham County’s State and Federal representatives enact resolutions, legislation, and Constitutional amendments advancing this effort.

BE IT FURTHER RESOLVED, that the County Clerk forward copies of this resolution to the Congressman Mike Rogers, Senator Carl Levin, Debbie Stabenow and the Ingham County State Legislative Delegation.
WHEREAS, the City of Lansing operates several parks that are considered an asset to the region, such as the River Trail, Ranney Skate Park, and Fenner Nature Center; and

WHEREAS, the City of Lansing has requested that a millage be placed on the ballot for the purpose of maintaining these parks that are used by people from throughout the region; and

WHEREAS, the County also operates a number of parks that are considered assets to the region, such as Hawk Island, Lake Lansing Park North, Lake Lansing Park South, and Burchfield Park; and

WHEREAS, other cities, villages, and townships within the County also maintain and operate parks that are considered regional assets; and

WHEREAS, the County has the authority to place a county-wide millage on the ballot.

THEREFORE BE IT RESOLVED, that the following question be submitted to a vote of the electorate in the election to be held on November 6, 2012.

PARKS THAT ARE AN ASSET TO THE REGION
MILLAGE QUESTION

For the sole purpose of providing a dedicated millage and funding source for parks operated by the County of Ingham, or other municipal parks located in Ingham County which the County has a contract to operate, shall the Constitutional limitation upon the total amount of taxes which may be assessed in one (1) year upon all property within the County of Ingham, Michigan, be increased by up to 50/100 (0.5) of one (1) mill, $0.50 per thousand dollars of state taxable valuation, for a period of four (4) years (2012-2015) inclusive. If approved and levied in full, this Millage will raise an estimated additional $3,262,857 for the parks systems in the first calendar year of the levy based on state taxable valuation.

YES [  ]  
NO  [  ]

BE IT FURTHER RESOLVED, that this question is hereby certified to the County Clerk.

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to place the proposal on the November 6, 2012 ballot and to be prepared and distributed in the manner required by law.